



Meriden Parish Council

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Minutes of the Parish Council Meeting held on
22 June 2015 at the Pavilion, Meriden Sports Park at 7.30 p.m.

Present:

Cllr M Lee	Chair
Cllr R Weaver	Vice Chair
Cllr R Kipling	
Cllr P Lee	
Cllr F Lynch-Smith	
Cllr M Nunn	
Cllr M Haque	
Cllr J Barber	
Mrs B Bland	Clerk

There were 6 members of the public present and Cllr K Allsopp.

1. Public Participation

Chair welcomed James Cassidy, Director of Cassidy Group who gave an overview of proposed development of four detached dormer bungalows on land currently occupied by Whitehouse Kennels on Back Lane. Plans and design drawings were circulated to Members and members of the public.

- SMBC consultation received a 27% response of households canvassed.
- Land considered brownfield and considered 'windfall site'.
- Development brief to include sustainable energy.
- Government guidelines state 10 homes or below do not have to include affordable housing.
- Flexible design with ground floor accommodation to include a wet room and disabled access.
- Communal space to be owned by residents with maintenance undertaken by Management Company.

A question and answer session followed. Any further issues/concerns raised may be emailed to the Clerk who will forward to Mr Cassidy.

Chair thanked Mr Cassidy for his presentation and attending the meeting, and he left the meeting.

Chair invited members of the public to raise any points of interest, concerns or issues?

It was noted from public comments that there was disappointment at the nonattendance of representative(s) from the community policing team. The Clerk had emailed, visited and left a message with volunteers manning the police house in Balsall Common, but received no communication of apology. This is the second month there has been nonattendance.

Signed **Chair** **Dated**

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Action: The Clerk will formally write to PC 3185 Simon Harrison stating Parish Council disappointment and requesting attendance at next meeting.

Residents raised and discussed the following:-

- Parish Council to be congratulated on how well the Parish is looking with summer planting and maintenance well underway. The Bloomers Group has brought a “real community feel good” in the display of planters and baskets.
- Could there be dedicated wildflower patch(s) as displayed along A45 between the Kenilworth traffic lights and Peugeot/BP garage? Perhaps the banking around Coronation Island may be suitable. **Action: Clerk**
- The new bus shelter and lay-by requires attention as the new 900 buses on this route are being damaged due to curbs being too high. The Clerk will follow up with Highways as contractor was Balfour Beatty. It was noted that communication between Highways, Centro and Balfour Beatty should have avoided this situation. **Action: Clerk/SMBC**
- Top of Meriden Hill/Showell Lane roundabout; the property on the corner is discharging water causing hazard to highway. The drain is blocked on highway and water is flowing past and running downhill. **Action: Clerk/SMBC**
- The Bloomer’s Group is all well and good however some of the planters and gateway signage is damaged, falling apart or dirty. Immediate action required. The dog bin has been re-sited from Poppy site to the side of old bus stop base planter which is not particularly nice to look at! **Action: Clerk/Contractor**
- All trees are flourishing but making overhanging branches dangerous and hazardous to high vehicles travelling through Village i.e. 900 buses, farm vehicles and HGV. **Action: Clerk/SMBC**
- Potholes in and around the Parish are a disgrace with nothing being done to improve the situation. Cllr Allsopp will take up with SMBC however stated that there is a finite budget for highway maintenance and it is an issue throughout the Borough that any repairs are undertaken on a priority basis. **Action: Cllr Allsopp to email Bruce Brant**
- Cllr Kipling stated the cost of the flowers and show garden displayed at Gardeners World recently should be better used. The Clerk replied that it was her understanding that all materials used had been donated or found in scrap yards; all plants were on loan from various Borough Nurseries and many Solihull schools were involved in the planting and getting the show garden ready. Indeed the Parish Council had been invited to participate as last years winners, but unfortunately could not spare the time to attend.

The Chair thanked all attendees for their attendance and invited them to stay for formal Council business or depart.

2. Apologies

Apologies received from Cllr D Bell.

Signed **Chair** **Dated**

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IT WAS RESOLVED Apologies were formally recorded and accepted from Cllr Bell.

Declarations of Interest

3a To declare any personal interests in items on the agenda and their nature.
There was nothing to declare.

3b To declare any prejudicial interests in items on the agenda and their nature
There was nothing to declare.

4. Minutes

The minutes of the Parish Council meeting held on 18th May 2015 were considered and agreed; and the minutes of the Extraordinary General Meeting held on 15th June 2015 were considered and approved.

IT WAS RESOLVED Cllr Kipling proposed acceptance of the minutes of Parish Council meeting 18th May 2015 and Extraordinary General meeting 15th June 2015. Cllr P Lee seconded this proposal.

Matters/actions arising: All as per agenda and standing items.

5. Finance

5.1 Approve June Payments

Members received payments for Parish Council and Sports Park for approval. Cllr P Lee raised the matter of contract 4 and litter picking around the fir trees on Fillongley Road. The Clerk will check out and advise Cllr Lee accordingly. Cllr P Lee also raised the matter of transaction 1 on the approvals sheets for Parish Council; namely the dog bins at a cost of £60.00. The Clerk pointed out the increase in grounds work and maintenance of sports park and play area due to specialist works, surface repair and annual maintenance. Cllr P Lee proposed approval of payments subject to transactions 1 dog bins being checked as over payment.

Cllr Lee proposed approval, seconded by Cllr Kipling.

IT WAS RESOLVED Members approved June payments of £6,974.95 for Parish Council and £7,004.51 for Sports Park.

5.2 Meriden School

Cllr Weaver presented a request on behalf of Meriden School PTA (charity Number 1041096). They have been trying to raise funds for the school playground as it is currently in desperate need of modernisation. There are no apparatus for the children to use which leaves playtime very limiting for those children who do not want to take part in football. With this in mind, they have tried to secure funds to enable the PTA to buy a trim trail (low level apparatus) for the children to access during lunch, break & after school.

Signed Chair **Dated**

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So far PTA has raised £4,180.00 which has enabled them to order the trim trail and have it installed. However an all-weather activity area would be beneficial, which means the installation of adequate flooring covering. Having sourced 3 quotes for the supply and fit of these materials, the price is coming in at £2,500 hence the appeal to the Parish Council and local businesses.

Members considered this request and debated the merits of making an award. RW recommended an award be made and proposed £400. This was seconded by Chair and unanimously agreed by Members.

IT WAS RESOLVED Members approved a donation of £400 to Meriden School PTA for the purpose of all-weather surface for trim trail. The Clerk will raise a cheque and advise Meriden School PTA of outcome.

5.3 Risk Register

Cllr Weaver stated that previously a risk register had been approved for implementation however it continued a work in progress. The internal auditor had formally recommended this be addressed in his formal report to Council. Cllr Kipling proposed this be delegated to Finance Committee, unanimously seconded by Members.

IT WAS RESOLVED Members approved delegated powers to Finance Committee (Chair, Cllrs Weaver, Haque and Clerk). A meeting was arranged for 25th June 2015 at 5.30 pm for the purpose of setting up risk register for adoption at next full Council meeting.

6. **Progress Reports**

6.1 Village Hall Management Committee

Cllr Lynch-Smith reported that the Big Picture Show is doing well with maximum attendance to date. The next feature is the Stephen Hawkins film. General bookings have increased.

6.2 War Memorials

Nothing to report.

6.3 Meriden Pool

The Clerk advised of a meeting with Darren Parkin to explore the removal of some overhanging canopies, root ingress to pool, saplings growing in need of removal and general tidy up of fallen tress branches and other debris into the pool. Members had been circulated with his response as follows:-

Good afternoon Barbara,

This is a courtesy e-mail to update you following this morning's site visit.

Signed Chair **Dated**

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I have forwarded all of the non-tree related items to colleagues (all of the Meriden Pond area issues have been raised with Dave T).

Dave (Tipping) as given me the 'go ahead' to issue the following tree works:

- re-pollard Willow stump (underneath Horse Chestnut tree canopy*);*
- re-pollard multi-stem Goat Willow on the pond edge (facing Main Rd);*
- fell x1 self set young Horse Chestnut tree on the pond edge (beyond *HC tree);*
- fell x1 self set young Ash tree on the pond edge (beyond *HC tree);*
- remove x1 specified small low branch from an Ash tree*; and*
- cut the ivy on the trunk of the same Ash tree*.*

This tree work should be completed within the routine works deadline (i.e. 3 months).

The Clerk further reported an incident of dead fish and this had been reported to David Tipping, SMBC. Photographs (shared with Members) had been taken and sent via Darren Parkin for attention and action. The following response has been received and circulated to Members as follows:-

Good morning Barbara

Thank you for your e-mail, following your e-mail on Thursday.

I spoke to colleagues within the Council's drainage section and the following actions have been agreed:-

- 1: The Trash screen will be cleaned today.*
- 2: An initial test of the water will be carried out by SMBC Officers & the results of that test will help us to determine future actions/proposals. I expect the results to be known later this week.*
- 3: The EA will also be informed of incident.*

Once I have the test results. I will let you know the results.

Regards

David Tipping, Parks and Open Space Development Officer

Action: The Clerk will monitor and liaise with SMBC officers above.

The Clerk shared with Members some postcards, specifically of the Pool, that Robert Williams of Alder Mill had obtained on behalf of the Parish Council and sent for our historical records. Cllr Weaver, on behalf of the Council, wished to record thanks for his generous gift and thoughtfulness.

Action: The Clerk will write a letter of thanks to Robert Williams.

Signed **Chair** **Dated**



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6.4 Allotments

The Clerk reported that two new Allotmenters had been sent tenancy agreements and invited the Chair of Allotment Association to update; Mr Gabbittas reported his delight at the interest generated in the vacant allotments, both of whom are from the new Mulberry Gardens development and a third is a local resident. He also wished to thank the Parish Council for their efforts on behalf of the Allotmenters in securing boundary fencing and two car parking spaces; and pursuing Taylor Wimpey on other outstanding snagging issues culminating in a site meeting on Friday 26th June 2015 at 2.30pm at which he will attend with Chair and Clerk. The car parking spaces require permit holder signage and Cllr Barber will work with the Clerk to achieve.

Action: The Clerk will continue to liaise with Taylor Wimpey and update at next meeting. Cllr Barber and the Clerk to address parking permit signage and Parish Council signage.

6.5 Footpaths/Forum

Cllr Lynch-Smith reported that with the sudden growth she continues to but back with no real issues to report.

6.6 Quarries Liaison Group

Chair advised she attended covering for Cllr Weaver with the Clerk. Main issues raised was (i) dust coming from A & A Recycling operations; the Environment Agency are to be invited to attend next meeting and air quality tests to be carried out. David Wigfield, SMBC Planning, advised he will revisit the planning conditions and forward to the Clerk. A & A stated that operations will be suspended in future when there is strong wind and efforts will be made to improve the adverse effects of wood recycling processes. Dust is also coming from Area G sand linings/walls of lake whilst infilling continues reducing water levels in old quarry. Solihull planners to take away request for most joined up working with neighbouring authorities in particular North Warwickshire when there is a permission granted that affects surrounding villages and HGV routing as recently experienced by Fillongley Road residents and Heart of England.

6.7 Solihull Area Committee

Next meeting to be held on 9th July 2015 at Pavilion which will be the Annual General Meeting. The Chief Executive of SMBC and Leader of the Council will be in attendance and presenting to Members. It is the Chief Executives intention to meet all Council representatives annually. Cllr Weaver stated that as Vice Chair of Area Committee, the revised Charter has yet to improve communications with SMBC of the Chief Executive is keen to find a solution.

6.8 Tree Wardens & TPO List

Cllr Lynch-Smith reported that further photographs will be taken during school holidays of those trees in fields not included in Tree list.

Signed **Chair** **Dated**

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6.9 Community Surgeries

The Clerk held on 8th June 2015 the community surgery without Neighbourhood Team presence due to secondment of Co-ordinator. The following issues were raised:-

Further to previous surgery issues and concerns the following remain outstanding and needs follow up, attention and actions from SMBC officers please:-

1. Email sent to Tammy Rowley last week from Cllr Lee requesting "Could I please get an update on this, I note that it is still overflowing today. I would also appreciate if you could confirm how often the waste bins are cleaned, I note that the one by the new bus stop on Main Road is turning green and could do with a clean which is next to Memorial Approach. (002/018 photos)
2. Email sent to Tammy Rowley last week as follows:-
Good morning Tammy, I have received the email below from Cllr Paul Lee regarding the dog bin at the quarry entrance on Hampton Lane. Whilst the Parish Council take responsibility for the emptying of the dog bin adjacent to Stonebridge Golf entrance on Hampton Lane, the dog bin sited at the quarry entrance is the responsibility of SMBC. Could you please arrange for the emptying of this bin as an urgent response due to health & safety. Many thanks.

Community surgery the following concerns/issues were raised with clerk action:-

3. Leymere Close, regarding landscaping maintenance to Leymere Close. This is not being done by contactors. There are large nettles and thistles in amongst overgrowth which now stand above hedge height. This matter has been referred to Bruce previously, but any works undertaken is hit and miss.

Top of Leys Lane connecting to Service Road serving Fillongley Road – the surface of service road is breaking up and coming off.

The hedge that backs onto No 9 Leymere Close is 30' high and getting taller. It backs onto Digby Place. Bruce has looked into this before and it is believed Wendy Henry has attended site as the hedge is the responsibility of SMBC Housing. There is a need to reduce the height of the hedge as it is taking valuable light from adjoining properties. Nothing has been done thus far? Can someone please come out and meet householder?

4. Digby Place. Emergency services recently called to attend to and were unable to find No3. Bruce has had some signage put at the entrance to The Croft but it appears another sign is needed at the entrance to Digby Place that serves 3 bungalows from the top of cul de sac.

Signed Chair Dated

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Resident not in the best of health herself and any new ring and ride driver or taxi service called has the same problem finding them. This is the second emergency service failure to this address. Can someone please meet with householder and visit the site.

5. All the work being done along Birmingham Road, Millisons Wood, for new drains is good but one has been missed by bungalow at Showell Lane. Water is running out of bungalow when they are washing cars or jet washing with soap and other debris running along carriageway as drain is blocked and needs attention. This has been raised on numerous occasions.

Potholes Meriden Hill – Bruce is aware and was going to get someone to inspect.

Eaves Green Lane – ditch now fully overgrown – situation has not changed and it is not only full of silt but also full of nettles, weeds etc., etc., and cannot be seen now. Can someone have a look and arranged ditch clean out?

6. Whichcote Avenue to Main Road hedges all overgrown; hard to see and narrowing carriageway. There have been two near miss accidents involving children crossing the road as drivers cannot see around corners without being in centre of road due to hedges. Also footpath between Whichcote and Digby Place needs cutting back, along with Leymere Close Pond copse.

General Parish Council observations sent to SMBC officers for immediate action:-

7. Meriden is preparing for Neighbourhoods in Bloom and Heart of England Bloom competitions and the Parish is looking neglected. Meriden Pool is waist high with nettles and complaints are being received that residents are unable to access the seating or picnic benches. There is also a need to remove tree growth around the pool. Repairs to pool sides where bricks and cement have fallen away presents a health and safety risk. Bruce is aware of this so please update what is being done? A meeting with Dave Tipping last year suggested a maintenance programme was going to be put in place. (1530 photo)
8. The footpath from Church Lane to top of Meriden Hill (Showell Lane roundabout) is becoming inaccessible. The overgrowth of weeds, nettles and grass is taking over footpath and needs immediate attention.
9. There are clumps of unmown weeds mixed with dead daffodils in and around the village that are mowed around – can this be tidied up please.
10. Not sure if you are aware of this - see attached photos. It's quite a mess behind the Bull's Head, corner of The Croft and Fairfield Rise. Can you look into this? (002/004/007 photos)

Action The Clerk is awaiting email response from relevant SMBC officers and follow up actions.

Signed **Chair** **Dated**

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6.10 Community Speed Watch

Cllr Barber advised that the speed watch team is ready to go. There is availability on training sessions being organised so more volunteers are needed (three new volunteers have come forward so far who are trained and ready to go). The gun is to be calibrated and it is anticipated that speed watch commences with the Fillongley Road in two weeks' time.

Action: Cllr Barber to implement and update at next meeting.

6.11 Meriden Sports Park (quarterly summary only)

Cllr Weaver advised that Iain Roxburgh would be attending at the end of the meeting to provide an update on company set up to support Meriden Sports Park Management Company and legacy funding.

Additionally there has been a User's Group meeting and all users are happy with their respective fixtures and arrangements going well. Cricket season is in full swing with both Spartans and Meriden CC playing. There are some issues with cricket wicket and square but these are being resolved with programme of groundwork. The football tournament was successful with 12 teams taking part. There are two new semi-pro teams playing at Sports Park from August which is an exciting development to Park users.

Cllr Lynch-Smith asked if the current pitches will cope with the increased football fixtures. Cllr Barber replied that the Sports Park pitches are becoming known as "the best in Warwickshire".

Cllr Weaver advised that there has been some criticism on facebook regarding the closure of the play area whilst re-seeding works are underway. Unfortunately no time is a good time for closure and the decision was taken around school holidays and picnic in the park, with re-opening being 6th July 2015. Cllr Weaver stated that she had recruited a couple of lads for junior user's group who are new the village.

7. Clerk's Report

The Clerk had circulated actions prior to the meeting. There were no questions.

8. District and Ward Councillor Reports

Nothing to report.

9. Correspondence & Communication

All correspondence had been circulated to Members electronically for their information. The Chair read a letter addressed to Mr Harbage, local resident, from Planning Officer, Conservation, Design & Development, acknowledging his work as follows:-

Signed **Chair** **Dated**

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“Dear Mr Harbage

Re: Meriden Walled Garden Door

I write with reference to the above and further to your letter received on 29th April. Following a recent site visit I would like to confirm how impressive the re-hung and freshly painted garden door and adjacent flower border look. The colour of the door and its fixed position are entirely appropriate and sympathetic towards the historic context of the site. The works that you have undertaken have resulted in a real improvement to the walled garden and will, I am sure, be enjoyed by many; well done and thank you for the care and attention that you have taken. I return the photographs that you kindly sent me as I took some digital photographs on site for the Council’s records.

Yours sincerely.”

Councillors acknowledged and thanked Mr Harbage who was in attendance.

10. Meriden Village Matters

10.1 Library Update

Chair advised the Library re-opened on 11th June 2015 with an afternoon celebratory tea party for residents and pupils from Meriden School to enjoy. We are very proud of the new IT suite funded by the Parish Council, and residents will be able to take advantage of taste IT sessions and also formal training sessions for Ancestry, how to use the internet and even how to shop on line. Library staff are really happy with the work carried out which has provided an airy and bright working environment with additional space created for additional computers including a disabled height adjustable workstation and touch screen.

10.2 Village Commemoration WW1

Chair advised that the next event will be Picnic in the Park on 12th July 2015 with Coleshill Town Band; an exhibition celebrating the centenary of WI through the Ages; sporting activities with sports coach and DJing/compare provided by Cllr Barber and Mr Meek.

Action: Chair to organise purchase of medals for picnic in the park and the two commemorative sporting events, first one being Royal Signals v.Meriden Spartans cricket match on 2nd August 2015.

Action: Cllr Weaver to organise promotional flyers via Parent Mail at Meriden School before end of term. Liz Willis to sort out posters. Clerk to display in noticeboards.

10.3 Meriden Gate

- Freehold Transfer
Nothing to report.
- Overage

Signed Chair **Dated**

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- Nothing to report.

Action The Clerk to chase up with David Waterson/Mike Swallow, SMBC.

10.4 Taylor Wimpey & Associated

A meeting is arranged with Taylor Wimpey for the purpose of concluding allotment snagging issues with Parish Council and Allotment representatives.

A resident requested some action regarding the damage to the new fleet of 900 buses from too high curb stones at site of new layby and bus stop.

Action: The Clerk will speak to Mr Chagger, SMBC Highways to see what is being done and how involved Centro are with sorting out the problem.

10.5 Highways Update

Nothing to report.

10.6 Land Registry & Ownership

Nothing to report.

10.7 Public Convenience Site Transfer

Nothing to report and the matter in the hands of Legal Teams.

10.8 Solihull Neighbourhoods in Bloom 2015

The Bloomer's senior and junior groups continue their preparation for Heart of England (HOE) in Bloom and Solihull Neighbourhoods in Bloom (SNIB). It is anticipated judging will be on 23rd July, but we await date for SNIB. Sponsored support has been excellent from local businesses including Quarry operators. All planting has met the sustainable and recyclable brief.

Action: The Clerk will continue working with Meriden Bloomers.

10.9 Litter

Nothing to report.

10.10 Co-Op Update

Nothing to report.

10.11 Parking – The Green

Reports have been received from residents regarding the one hour limit on parking on service road at the Green. This does not allow for shopping, library visit and hairdressers. There is also further issue for residents in cottages and other properties around the Green that find it increasingly difficult to park outside their homes due to shoppers cars. More yellow lines are required.

Signed **Chair** **Dated**

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Cllr Lynch-Smith suggested reducing the time restriction to 30 minutes after 6pm due to amount of cars parked eating fish and chips and blocking valuable space.

Cllr Weaver stated that this was part of a bigger piece of work linked to the Neighbourhood Plan.

Action: This item will be referred to the Neighbourhood Planning Steering Group for solution.

10.12 Historical Planning Permissions (Access Rights)

Cllr Weaver raised the issues surrounding the many recent complaints received regarding wheelie bins on pavement, access to backs of premises only from front of businesses, and skip/building works blocking neighbouring properties and valuable car parking spaces being taken up by contractors rather than shoppers. Questions need to be raised with SMBC to see if permissions for usage/access are being breached?

Action: The Clerk to write to Lawrence Osborne/David Wigfield requesting their assistance.

10.13 Scrap Metal Collectors

Cllr Haque reported that this has been reported to the Police as residents are vulnerable having collectors wondering about their property, incidences of entering back gardens looking for waste scrap.

Action: Cllr Haque to follow up with Community Police team.

11. Solihull Partnership Forum

Cllr Weaver advised the next meeting will be 8th September 2015 and any items of interest should be emailed to her to raise on Members behalf.

Action: Cllr Weaver will receive items of interest and forward to Chair of SAC for agenda inclusion.

12. Planning Matters

12.1 Neighbourhood Planning Update

Cllr Weaver gave an update of Steering Group and local resident volunteers and involvement. Consultation underway for strap line; consultation underway regarding stakeholder views of 3 likes, 3 dislikes, 3 improvements linked to living in Meriden. Consultations carried out with Scouts/Cameo Group/Sunday Funday. Future consultations to include year 6 pupils and picnic in the park. There is an enormous amount of work with a small core of volunteers and we need to implement task and finish groups to share the work. Additional representation is required from local businesses, community police team, school and health teams serving the community.

Signed **Chair** **Dated**



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Minutes will be posted on website with a new section to be developed for Neighbourhood Plan updates.

12.2 To receive update and status on Planning Applications

The Clerk advised that updating the Parish electronic planning file is a work in progress due to other commitments; not helped by the recent hacking and loss of all planning files, and the update to Solihull Planning Portal which does not allow access to previous planning applications numbers with no correlation or transition from one old system to new portal.

Action: The Clerk will endeavour to bring this up to date for Members. All electronic planning applications received are being emailed to Members for their comments and posted onto SMBC planning portal site direct. However it should be noted that if the comment exceeds the designated number of characters, without warning the site closes down with all information lost. Planning request a formal letter to be sent to the named officer on planning application that may be filed for planning committee access.

12.3 Proposed Development of Old Garage and Caravan Storage Site

Nothing to report.

12.4 Unlawful Caravan Storage Site

Nothing to report.

12.5 Land for Burial

Nothing to report.

13. Councillor's reports and items for future agenda

Cllr Kipling raised the issue of Berkswell Road from potholes between Heart of England Club and Pool; and the issue of HGV use of Berkswell Road and requested consideration be given to weight restriction.

Any other items to be emailed to Clerk.

14. Date of Next Meeting

The date of the next meeting will be Monday 27th July 2015 at 19.30 at The Pavilion, Meriden Sports Park.

The meeting closed at 21.20 hours.

Signed Chair Dated

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Under Confidential Matters and closed to the public Members welcomed Iain Roxburgh (IR) to update on Meriden Sports Park (item 6.11 quarterly summary refers)

Addendum to item 6.11 to be discussed and considered under a closed session as follows:-

The following paper was circulated to Members this morning and it was acknowledged and recorded that there had been insufficient time to fully digest the content and consider before this evening's meeting.

“Report to Meriden Parish Council, Monday 22nd June 2015

Proposal for the creation of Meriden Sports and Recreation Charitable Trust

Background

Following the completion of Meriden Sports Park, a company called Meriden Sport Park Ltd was formed to run the park and, in the words of the company's objectives, to benefit:

‘The residents of the parish of Meriden and its surrounding area, without distinction of sex, sexual orientation, race or of political, religious or other opinions, by the provision and maintenance of a sports park, pavilion and other facilities for recreation or other leisure time occupation in the interests of social welfare with the objective of improving the conditions of life for the residents or the said parish and its surrounding area.’ And to:

‘Secure the establishment of a sports park, pavilion and other facilities for recreation or other leisure time occupation and to maintain or manage or cooperate with any statutory authority in the maintenance and management of such facilities promoted by the charity in furtherance of the said objects.’

Charitable Status

Meriden Sports Park Ltd applied to the Charities Commission for charitable status, but was turned down, principally on the basis that the Commission needed “to be satisfied that the company will be independent from the Parish Council”. At least three of the trustees are parish councillors.

It is very important that the arrangements for managing the sports park and for managing the ‘legacy’ funding should be through charitable agencies so that:

Signed **Chair** **Dated**

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- The sports park can have access to other charitable sources of funding – lottery etc.
- The legacy capital can be most effectively invested and preserved and produce the best return for the future upkeep of the sports park.

At present, the legacy capital sum is held in the Parish Council's accounts. This must be seen as very short term as it produces a small return compared with alternatives if it were held by a charity. It has also been criticised by the Parish Council's auditors and as an excessive reserve in the accounts of a local authority, it may risk being sequestered into the Treasury coffers to aid deficit reduction.

Priorities

The first priority is to place the legacy funds with a charitable trust, independent of the Parish Council and, it is argued in this paper, separate from Meriden Sports Park Ltd.

The second priority is to restructure the board of Meriden Sports Park Ltd to reflect its role as the operational company and to ensure it can also acquire charitable status to access other charitable funding.

Why two companies?

There are two principal reasons for suggesting that there be a separation of the management of the legacy fund and the operational management of the sports park:

1. It would recognise the two very different functions and these would be reflected in the skills and expertise of the directors / trustees of the two separate companies.
2. It would facilitate greater transparency and accountability in the management of the Sports Park and the long-term management and spending of the Parish's legacy from the sale of the former playing field.

How would it work?

- The Parish Council would own the land and (once Solihull MBC has completed the transfer to MPC) provide a lease or licence to Meriden Sports Park Ltd (MSPL) on terms to be agreed.
- MPC would transfer the legacy capital fund to the new Meriden Sports & Recreation Trust (MS&RT).

Signed **Chair** **Dated**

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- MS&RT would prudently invest the fund and seek to maximise returns with a low risk profile.
- MSPL would submit a business plan annually to MS&RT, based on which an annual operational grant would be agreed.
- MSPL and MS&RT would work together on refining the business plan / grant process as experience is gained.
- MS&RT and MSPL would report to MPC annually.

Can trustees be found?

Five people have so far been identified with suitable skills as willing to serve as trustees of MS&RT and the search for other possible trustees is continuing.

The five are: Iain Roxburgh, Michael Rawson, Paul Blewitt, Howard Farrand and Tessa Roxburgh. None are parish councillors. The annex to this report will contain a brief CV of each possible trustee and will be brought to the meeting.

Once the role of MSPL is more clearly defined as the ‘operational’ company, it should be easier to identify volunteers from the users of the sports park who might be willing and have the necessary skills to serve as directors/trustees of that company.

Independence from the Parish Council

The Charities Commission will “need to be satisfied that the company will be independent of the Parish Council”.

The advice of David Mander of Mander Hadley, Solicitors, is that “a board of promoters for the company as director/trustees who are not connected with the council or the sports park” should be identified. This has been done in terms of the five volunteers.

While respecting David Mander’s advice, we have to consider the particular context of our local history and circumstances and what the law does and does not permit.

The promoters of MS&RT believe that if more than 80% of the members of the board of a company are ‘independent’ of a local authority, then the company (whether it is a charity or not) is not a local authority influenced or controlled company (Local Government and Housing Act 1989 with subsequent amendments).

Clearly MSPL currently falls foul of this provision as well as the Charities Commission independence test. But it does appear to open the door for one MPC nomination to

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the board of MS&RT (and another one to MSPL) if there were at least 5 other independent members on each board. It is proposed that this possibility be explored further with the Charities Commission.

The Parish Council, board of MSPL and the promoters/potential trustees of MS&RT need to consider whether in these circumstances further legal advice should be sought on MPC nominees to the boards of MSPL and MS&RT, or whether to accept David Mander's advice and have no cross-representation.

What would happen next?

- The promoters/possible trustees of MS&RT will prepare draft documents for the formation of the company, including a short profile of each possible trustee.
- The Parish Council will consider the proposal made in this paper for a charitable trust to manage the legacy fund and if the PC agrees in principle, whether or not it wishes to pursue further the possibility of one PC nominee to the board.
- Drawing up Memorandum and Articles for MS&RT, formation and registration of company and submission to Charities Commission. Opening of bank account etc.
- Transfer of legacy fund from PC to MS&RT and investment of fund in Churches, Charities and Local Authorities Investment Management (CCLA). Creation of operational account for needs of MSPL over the remainder of the current financial year and any incidental company expenses.
- MS&RT work with MSPL (existing board) to agree a format and programme for business plan preparation and submission for 2016/17 grant and any transitional provisions.
- Board changes to MSPL to establish independence from PC and then apply for charitable status for MSPL (target April 2016?).

Iain Roxburgh,

On behalf of the promoters / possible trustees of Meriden Sports and Recreation Trust."

Members discussed and considered the merits of setting up a Trust.

Signed Chair **Dated**

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Cllr Kipling stated that the emphasis of the ‘upkeep’ of the 1.5M legacy is not solely for the benefit of Meriden Sports Park. The “then” Parish Council who signed the documents assumed all money would come to the Village via the Parish Council and would be used to benefit all residents.

IR replied that the proposal was for the Village or more widely the Parish to benefit.

Cllr Kipling responded that the legal agreement written intended for a replacement sports ground/park and for major projects in the Village. He further stated that land was to be purchased and secured for a recreation ground at Millisons Wood.

IR replied that the purpose of this evening is to approve the proposed organisation/structure of a Trust to manage the legacy for the future.

Cllr Kipling stated his reluctance in agreeing to a Trust managing the legacy, directing funding with ultimately the Trustees making decisions without consultation to the Parish Council.

The Clerk stated that the Parish Council has for the second year been advised to reduce its level of reserves; Meriden Sports Park is unable to receive the funding for investment due to non-Charity status; any funding that is drawn down into Meriden Sports Park accounts is liable for 20% corporation tax.

Cllr Lynch-Smith reiterated Cllr Kipling’s views that the legacy is for the wider community and not identified for sports park use only, or for sport in isolation. There must be no restriction to Meriden Sports Park.

IR reaffirmed that the Trust would be set up to provide management and governance of the legacy. Any restrictions may be directed in the Memorandum and Articles of Association with clear objectives agreed.

Cllr Haque apologised that she had to leave the meeting but was asked for her opinion prior to departure. Cllr Haque responded that she had listened to the proposal and on the basis of the wellbeing of the Community and their benefit, then she would vote to approve the setup of Meriden Sports & Recreation Charitable Trust. She further stated that the CVs presented for the proposed Trustees confirmed their ability to be more than qualified for this role.

The Chair and IR thanked Cllr Haque.

Cllr Lynch-Smith asked if the Trustees would be paid. IR replied the Trustee role is voluntary and not paid and will not take any expenses.

Signed **Chair** **Dated**

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The management of the 1.5M should not be onerous as the CCLA will continue the managed fund arrangement, but the Trust will provide options for drawing down external funding from Grants such as Lottery, Children-in-Need, Sports Aid.

Cllr Lee proposed that the following be approved:-

1. Agree in principle of setting up a Trust with the Trustees as per CVs;
2. IR to do draft of Articles and Memorandum of Association to include issues raised at this evening's meeting; i.e. to benefit the Parish community and not specific to Sports Park.

Cllr Kipling agreed in principle but wished to record his opinion that this had been presented as a 'fait accompli'. The proposal was seconded by all Members with a show of hands.

IT WAS RESOLVED

1. Meriden Sports and Recreation Charitable Trust to be set up as per proposal with the Board of Trustees named as per CVs and circulated to Members.
2. IR to draft Articles and Memorandum of Association not restricting the legacy to the Sports Park but to include and benefit the Parish and wider community for recreation and leisure pursuits.

ACTIONS

1. IR will put together outline formation of Meriden Sports and Recreation Charitable Trust.
2. IR to draft Articles and Memorandum of Association.
3. IR to make more enquiries with Charities Commission regarding set up and revised application for Charity Registration.
4. IR to write letter to Charities Commission requesting revision of last year's application in line with their letter and recommendation or to re-apply.
5. IR to have the explicit promise of Parish Council to work together to implement the transfer of legacy to Charitable Trust.

RW proposed that under the governance of a Charitable Trust working with Sports Park Directors and Parish Councillors, will provide longevity of funds and secure future funding is "not given away".

The Chair thanked IR and this was seconded by Cllr Weaver who acknowledged the volume of work including meetings with Solicitors seeking advice and guidance to ensure governance and transparency.

The meeting closed at 10.25 p.m.

Signed Chair **Dated**

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