

**MINUTES OF THE SWINFEN AND PACKINGTON PARISH COUNCIL ANNUAL MEETING HELD AT
THE CONFERENCE ROOM 1, CONFERENCE CENTRE, HMP SWINFEN ON
WEDNESDAY 08 MAY 2019 COMMENCING AT 7.09 PM**

PRESENT

Councillor R Barnes in the Chair
Councillors Dyott, Loescher and Mrs Pope

In attendance:

Ms J Minor, Parish Clerk
District Council B Yeates
C Humphreys, Community Engagement Manager, HS2
M. Price, Laing O'Rourke Murphy

PARISH FORUM

No members of the public were present.

1. ELECTION OF CHAIRMAN OF THE PARISH COUNCIL FOR THE ENSUING YEAR FOLLOWED BY DECLARATION OF ACCEPTANCE OF OFFICE

RESOLVED That Councillor Richard Barnes be elected Chairman of the Parish Council for the ensuing year.

2. APOLOGIES FOR ABSENCE

Councillor Armstrong.

3. DECLARATIONS OF INTEREST

Councillor Dyott declared a disclosable pecuniary interested [financial] in Minute No. 6 - HS2.

Councillor Loescher declared a disclosable pecuniary interested [financial] in Minute No. 6 - HS2.

Councillor Barnes declared a disclosable pecuniary interested [financial] in Minute No. 6 - HS2.

4. MINUTES

RESOLVED That the Minutes of the Meeting of the Parish Council held on 20 March 2019 (Minute Nos. 56-71) as circulated, be approved as a correct record and signed by the Chairman.

5. CHAIRMAN'S ANNOUNCEMENTS

Packington Hall

The Chairman informed Members that due to pressure, the site had been boarded/fenced relatively well. Since the demolition men had left the site some three weeks ago, there had been zero activity.

District Councillor Yeates stated that the Development Management Team as well as the Conservation and Urban Design Team and the Arboricultural Officers from Lichfield District Council had worked closely with the owner and his agents to get the development of the site to this point. District Councillor Yeates confirmed that the owner was aware of the security concerns relating to the site. From a planning perspective, to the best of District Councillor Yeates' knowledge, all the works to date had been carried out in accordance with the permissions that have been granted and in close liaison with Lichfield District Council.

Bus Shelter

Councillor R Barnes made reference to a bus shelter [from Tamworth to Lichfield on the A51] and confirmed that this had been moved. The Parish Clerk made reference to Minute No. 11 [Community Infrastructure Levy] and stated that she would make enquiries as to whether the money received [£410.55] could be offset against the cost of moving the shelter. Councillor Mrs Pope asked if enquiries could be made as to whether a seat could be fitted by Shelutions Urban Furniture Limited.

Standing water across the carriageway - A51 [bottom of hill below the Horse and Jockey Public House]

Councillor Dyott made reference to standing water across the carriageway on the A51 [hill below the Horse and Jockey Public House]. It was agreed that the Parish Clerk would report the problem to Amey.

6. THE HIGH SPEED RAIL PLANS

The Chairman welcomed Mr Christopher Humphreys, Community Engagement Manager, HS2 and Mr Matthew Price, Laing O'Rourke Murphy to the meeting. Mr Humphreys and Mr Price proceeded to introduce themselves to Members.

The Parish Clerk outlined the agenda [items for discussion] which had been forwarded to Mr Humphreys before the meeting and had been accepted by Mr Thurston on behalf of HS2 Ltd, which were namely:

- a. To give the Parish Council a "timeline" for the delivery of HS2 in the Parish.
- b. To update the Members of the Parish Council of all works and surveys to be carried out in the Parish in the foreseeable future.
- c. To update the Members about the effects on roads, footpaths and bridleways in the Parish during construction. What plans are in place to mitigate these effects?
- d. To give Councillors chance to express their ideas for mitigation within the Parish.

- e. To update the Council of the emerging final designs of the railway within the Parish.

The Parish Clerk made reference to a. above and asked if a timeline for the delivery of HS2 was known. Mr Humphreys stated that no date was yet known as it was still in the design phase [not progressed sufficiently at this moment in time].

Councillor Loescher expressed surprise as the HS2 website stated that construction would start later this year. Mr Humphreys said this was not all areas. Councillor Loescher stated that HS2 Ltd had said that they would start at the road crossings two of which were in the Parish. This would inevitably set the height for the line through the parish. Councillor Loescher said HS2 Ltd must by now have a good idea what the height of the line would be through the parish.

Councillor Loescher made reference to a drop in at Hints on 27 December 2018 and stated that he was informed at the drop in that HS2 Limited had committed 2.5 metre high tree covered bund between Packington Moor and Jerrys Lane. HS2 Ltd had indicated that the height of the line may be being raised. Councillor Loescher stated clearly if the commitment to the 2.5 metre bund is to be in any way meaningful this would need to be from the height of the railway. An assurance was requested for this and a response promised by the HS2 representatives by early 2019. It was also requested that the Parish Council request for a 5 metre high bund be considered.

Councillor Loescher asked Mr Humphreys to confirm the height of the line. Mr Humphreys stated that he could not confirm the height of the line as the design had not yet been finalised and said HS2 Ltd did not know when it would be finalised. A height was agreed in the Bill however it could still be raised by 2.5 metres however this was still unknown. Mr Humphreys said the height of the line may be changed through-out the Staffordshire area.

Councillor Barnes stated that he did not believe someone did not know the proposed height of the line as the commercial implications of this moving was enormous. It was stated that there is no doubt that HS2 Ltd knows the height of line given that building starts later this year and trains are due to be tested on the track in early 2024 per the HS2 Ltd web site (4 ½ years time).

Councillor Loescher made reference to HS2 Limited's Community Engagement Strategy:

- Informing – we will keep communities informed on the issues that affect them through clear, timely and tailored communications.
- Consulting – we will arrange formal, written, public consultations on the project. These will include making plans available for public review and seeking views from a range of interested parties to inform their development and delivery.
- Involving – **We will create opportunities for local communities to get involved throughout the design and delivery of the project, so that we take into consideration how they live, work and play.**
- Responding – We will provide free and accessible options for communities to contact us to seek information and raise their concerns. We will respond to their requests and comments in a timely and comprehensive way.

Councillor Loescher felt that HS2 Limited were not abiding by the Community Engagement Strategy particularly in “involving”.

Councillor Loescher asked Mr Humphreys to confirm that there would be engagement on the proposed mitigation once the height of the line was known. Mr Humphreys stated that there would be no consultation or engagement, but the Council would be informed of the design outcome.

Councillor Loescher again stated that this was not in accordance with engagement strategy and this did not create opportunities for local communities to get **involved throughout** the design and delivery of the project, so that HS2 Ltd could take into consideration how people live, work and play.

Councillor Loescher made reference to the Whittington and Fisherwick HS2 Meeting held on 20 February 2019 where it had been minuted that Councillor Loescher had asked at this stage whether the height of the line had been finally decided upon. He was told that local communities would be told in late March / Early April. This had not happened, and Councillor Loescher expressed concern that HS2 had fraudulently tried to amend the minutes of that meeting after the event.

Councillor Loescher stated that Mr Humphreys had given assurances at the Whittington meeting that once the height of the line was known, local communities would be consulted and involved on any necessary mitigation. Councillor Loescher stated that Mr Humphreys has assured those present at the Whittington meeting that once the height was known, and the overall design, individuals affected would be consulted and involved. Mr Humphreys denied that he had said this, and said communities would not be involved or consulted on mitigation.

Councillor Loescher said that Mr Humphreys was not being truthful and he was sure the minutes would confirm Mr Humphreys had given this assurance at the Whittington Meeting.

Mr Humphreys stated that he did not recall his comments made at the meeting held on 20 February 2019 and confirmed that there would be no opportunity to influence the design. Mr Humphreys confirmed to Members there would be no engagement on mitigation.

Mr Price was asked if he could recalled these assurances being made at the Whittington meeting. He said he was a contactor and could not comment.

Councillor Dyott asked Mr Humphreys if HS2 would be giving the Parish the opportunity to express concerns, ideas etc and would these be fed into the design or would HS2 be “judge and jury”. Councillor Dyott expressed concern because he had been given a specific assurance that HS2 Ltd should engage about mitigation on his land.

Mr Humphreys was asked to go back to HS2 Ltd and feed back to the council the following as soon as possible:

1. The Councillors wanted more clarity on the changes to the height of the line through the Parish as a matter of urgency as Councillors did not accept HS2 Ltd did not know.

2. The Councillors wanted immediate confirmation that the height of the promised tree covered bund would be at least 2.5 metres above the line (preferably 5m).
3. The councillors wanted an opportunity to engage and be involved in the design of mitigation once the height of the line was known.

The Chairman thanked Mr Humphreys and Mr Price for their attendance.

RESOLVED

- a. That a letter/email be sent to Whittington, Hints and Canwell, Drayton Bassett and Hints Parish Councils expressing concerns about the changes to the height of HS2 in the local area.
- b. That an item on the High Speed Rail Plans [HS2] continue to be included on the next agenda.

7. RISK ASSESSMENT

RESOLVED That the 2018/2019 Risk Assessment in respect of the Parish Council's bus shelters and public notice boards be received and noted.

8. SOCIETY OF LOCAL COUNCIL CLERKS

RESOLVED That the Parish Council renew membership of the Society of Local Council Clerks [cheque number 100502].

9. PARISH COUNCIL'S INSURANCE

RESOLVED That the Parish Council's insurance be renewed [cheque number 100501].

10. ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURNS FOR THE YEAR ENDED 31 MARCH 2019

a. Section 1 - Annual Governance Statement 2018/19

RESOLVED That the Annual Government Statement 2018/19 be approved and that the Chairman and the Parish Clerk be authorised to sign the document.

b. Section 2 - Accounting Statements 2018/19

RESOLVED That the Accounting Statements 2018/19 be approved and that the Chairman and the Parish Clerk be authorised to sign the document.

c. Certificate of Exemption - AGAR 2018/19 Part 2

RESOLVED That the Certificate of Exemption be approved and the Chairman and the Parish Clerk be authorised to sign the document.

RESOLVED That the internal auditor's report produced by Mr B Cooper be received and noted.

RESOLVED That Mr Brian Cooper appointed as Internal Auditor for the year 2019/2020.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Parish Clerk informed Members that £410.55 had been received from Lichfield District Council in respect of planning application 18/01673/FUL – Common Barn Farm, Tamworth Road [demolition of existing dwelling and erection of 1 no. three bedroom replacement dwelling and associated works].

RESOLVED That the Parish Clerk make enquiries as to whether the money received [£410.55] could be offset against the cost of moving the shelter.

12. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED That under the Public Bodies (Admissions to Meetings) Act 1960 (Section 2) (and as expended by Section 100 of the Local Government Act 1972), the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

13. PARISH CLERK'S SALARY

It was proposed by Councillor R Barnes, duly seconded and

RESOLVED (1) That cheques be drawn in respect of the Parish Clerk's April 2019 (**cheque number 100489 & 100496**) and May 2019 (**cheque number 100492 & 100498**) salary, HMRC - April 2019 (**cheque number 100491**), Staffordshire Pension Fund - April 2019 (**cheque number 100490 & 100497**), HMRC - May 2019 (**cheque number 100494 & 100500**) and Staffordshire Pension Fund - May 2019 (**cheque number 100495 & 100499**).

(2) That in relation to 7.3 of the Parish Clerk's Contract of Employment an annual sum of £156 (£3 per week) (**cheque number 100493**) be paid to the Parish Clerk in reimbursement of use of space, lighting, heating and electricity.

14. DATE, VENUE AND TIME FOR NEXT PARISH COUNCIL MEETING

RESOLVED That:
Wednesday 10 July 2019
Wednesday 18 September 2019
Wednesday 13 November 2019
Wednesday 15 January 2020
Wednesday 11 March 2020
Wednesday 20 May 2020

in the Conference Room 1, Conference Centre, HMP Swinfen commencing 7.00 p.m. be confirmed as the next Parish Council meetings.

(The Meeting closed at 8.37 pm)

Signed

Dated