

# Burton Green Parish Council

Clerk to the Council : Ms Louise Baudet,  
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12<sup>th</sup> February 2013

Dear Councillor

You are hereby summoned to attend the meeting of Burton Green Parish Council at Burton Green Village Hall on Monday 18<sup>th</sup> February 2013 at 7.00pm. If you are unable to attend, please forward your apologies to either myself or the Chairman.



Mrs Louise Baudet  
Clerk to the Parish Council

*Members of the public and press are welcome to attend.*

## A G E N D A

1. **Apologies** : To receive apologies and approve reasons for absence
2. **Mr Stephen Hay, Warwick District Council** : To discuss planning related matters, village boundary and housing site issues with the Parish Council, and agree any action as appropriate
3. **Neighbourhood Planning** : To discuss the intention of the Parish Council with regards to the production of a Neighbourhood Plan and agree action as appropriate
4. **Public participation** : To adjourn to allow public participation. Residents are invited to give their views and raise questions to the Parish Council on issues on this agenda, or raise issues for future consideration at the discretion of the Chairman. Members of the public may not take part in the Parish Council meeting itself and the Parish Council can not pass a resolution on matters raised during public participation.
5. **Declarations of Interest** :
  - (a) Councillors are reminded of the need to update their register of interests
  - (b) To declare any interests in items on the agenda and their nature
  - (c) To receive and consider written requests for new DPI (disclosable pecuniary interest) Dispensations on items relating to the Agenda.
6. **Minutes** :  
To approve the minutes of the Council meeting held on 28<sup>th</sup> January 2013 (attached)
7. **Meeting Dates** :
  - (a) To approve dates/time/venues for future Parish Council meetings
  - (b) To approve date/time/venue for annual Meeting of Electorate, to agree format of meeting, to agree arrangements and costs for production of report and meeting
8. **Progress reports for information** :
  - (a) Update on approved location by Highways for village grit bins
9. **Community Reports** : To receive reports, and agree any action, from :
  - (a) Warwickshire Police



Mrs R Taylor (resident)  
Mrs L Baudet (Clerk)

### **1/13 Apologies**

Apologies for absence were received from Cllr Marlene Hills and Cllr Ian Cox, and it was  
RESOLVED : that apologies for absence from Cllrs Hills and Cox be accepted

### **2/13 Public participation**

This item was deferred until later in the Agenda.

### **3/13 Declarations of Interest**

The Clerk recommended that Councillors declare disclosable pecuniary interests in relation to Agenda item 10a. There were no interests declared.

### **4/13 Minutes**

Members considered the minutes of the meeting held on 19<sup>th</sup> November, having been circulated and read, and it was

RESOLVED : that they be signed as a correct record subject to :

- The amendment of 93.7 to delete 'Residents Association' and replace with 'affected residents'
- The amendment of Minute 97 to delete 'evidence of daily use' and replace with 'some evidence of use'
- Minute No 94 to read Cromwell Lane
- Greenway opening date to read 26<sup>th</sup> October 2012

### **5/13 Progress reports for information**

#### **5.1 Representatives on Warwick District Joint Standards Committee**

Cllr Blacklock explained the safeguards and role of the Standards Committee ; representatives include one from Kenilworth Town Council, one from Whitnash Town Council, one from rural East and one from rural West. Burton Green is currently not represented on the Standards Committee as it is not included in either rural East or West. Members were concerned about the anomaly and asked that it be drawn to the attention of the District Council. As the Parish Council is in the Kenilworth Community Forum and has historic ties with Stoneleigh, it was agreed that the Parish Council would wish to be included in rural East.

#### **5.2 Update on grit bins**

The Chair reported that the grit bins had been delivered and he was now awaiting approval from Highways for their location. It was agreed that an additional grit bin for Hob Lane (by Moat Farm) be purchased the following year. Issues relating to residents clearing snow were discussed and it was agreed that guidance from the District Council website could be included in the Bugle.

### **6/13 Community Reports**

#### **6.1 Warwickshire Police**

No items reported

## 6.2 County Councillor – Kenilworth Abbey

Cllr Whitehouse reported on the following :

- Training for the Speedwatch volunteers had now started and there would also be joint work with the Kenilworth Team so that volunteers could get experience
- Speed Limit Review – following a tour of the area, the Police had verbally fed back that they are in agreement with a reduction to 30mph in Hodgetts Lane and Cromwell Lane, however their view was that Hob Lane was not naturally a 30mph limit despite there being a school located in the Lane. It was hoped they would review their opinion on this matter.  
Regarding Red Lane it was hoped that the speed would be reduced to 30mph with additional signage or chevrons. The proposals will be considered by WCC Portfolio holders. Cllr Owen asked if consideration could be given to the speed limit in Hob Lane being reduced to 20mph when the school is open; Cllr Whitehouse stated that new guidance from the Department of Transport gave more flexibility but may require a small amount of capital expenditure.
- The Kenilworth Footpath Group and WCC Right of Way Team have a joint plan to improve the Red Lane and Greenway footpath by putting hardcore down. The Chair commented that volunteers would be looking at all the footpaths in the village. Cllr Stewart queried access at the Balsall Common/Berkswell end and it was noted that there had been a meeting with SMBC in November at which issues relating to land ownership etc.. were picked up ; liaison is continuing.

## 6.3 District Councillors – Kenilworth Abbey

Cllr Blacklock reported on the following :

- The Local Plan is still being drafted and within timescale.
- SITA had been awarded the contract for waste collection from April 2013

Cllr Coker reported on the following :

- Draft Local Plan should be available in May and the Parish Council would be included in the consultation process
- It is likely that Council Tax will once again be frozen in the next financial year

Cllr Illingworth reported on the following :

- Boundary review
- HS2 responses – acknowledgement given to the good responses from the Parish Council and Residents Association.
- Emma Spangle, nominated contact for Burton Green regarding planning matters. Gary Stephens would be leaving the Council.
- Crackley Lane was currently not on the WCC primary gritting route and Cllr Illingworth supported the Parish Councils' view that they write and request it be included, particularly as it is a busy throughfare to the business park.

## 6.4 Link Councillor with Burton Green C of E Primary School

Cllr Hickinbottom had no items to report. The Chair expressed his concerns that the room hire costs paid by the Parish Council are paid to Warwickshire County Council and not into the school's budget, and asked Members to consider a donation to the school to purchase resources for the pupils. It was agreed to place this as an item on the next Agenda.

## 6.5 Link Councillor with Burton Green Village Hall Committee

Cllr Stewart had no items to report.

## 6.6 Link Councillor with Burton Green Neighbourhood Watch

Cllr deWorringham reported that the only incident had been the theft of a child's bike.

## 6.7 Link Councillor with Burton Green Residents Association

Relevant matters had been covered under public participation.

#### 6.8 Link Councillor with Kenilworth Greenway Trust

A written report had been provided by Cllr Hills and circulated to Members ; Greenway route has gained an impressive number of users (1<sup>st</sup> Jan 2013 1087 users along the Kenilworth/University of Warwick section were recorded by the clicker system set in place by Sustrans. HS have confirmed that any of the Greenway route that is used will be replaced afterwards, albeit along a separate path.

#### 6.9 Link Councillor with Burton Green HS2 Action Group

Cllr Taylor reported that copies of the Burton Green HS2 DVD had been sent to MP's and would also be uploaded onto YouTube ; agreed that there would be a link to this from the Parish Council website. The Government would be making an announcement which would clarify the position with regards to the Y route and bored tunnel.

### **7/13 Public participation**

The Chairman opened the meeting for public participation. Ms Swindells raised concerns that the road surface in Hob Lane (in particular from school up to Burton Green sign), which was re-surfaced in September 2012, was already breaking up. Vehicles were causing loose grit to fly in the area, posing a health and safety hazard to pedestrians. The Clerk would raise this matter with Highways.

Mrs Webb reported on the following : (a) the Defibrillator was now installed in the Village Hall and there would be First Aid/CRB training in the near future (b) the Greenway Clear-up is re-scheduled for 3<sup>rd</sup> February 2013, 10.30am meeting at Cromwell Bridge. Discussing the Parish Plan, Mrs R Taylor reported that a questionnaire would be distributed to residents shortly, and they would be employing a consultant to assist with producing the plan. Responding to Cllr Owen regarding timescales for completion of the Parish Plan, it was hoped this would be some time in the Spring. The Chairman commented that according to advice given by the Countryside Agency, once drafted the Parish Plan should be endorsed by the Parish Council, and there should then be an agreement as to who is responsible for managing the Parish Plan in the future. Concluding Mrs Taylor also reported that work continues on clearing the footpaths in the village. The Chairman closed public participation.

### **8/13 Noticeboards**

It was agreed that the existing noticeboard was irreparable and should be replaced. With regards to a new noticeboard in Red Lane, residents at no 40 were willing to consider the front of their residence as a suitable locations, but required further details regarding size and height. The Clerk had sample brochures available and it was agreed that Cllr Stewart and the Clerk would progress this matter further.

### **9/13 Hedging in Westwood Heath Road**

Cllr Owen would complete forms to register the footpath on the Definitive Map for Warwickshire, although it was noted that the process takes a number of years to complete. Cllr Blacklock felt it was important for the footpaths to be preserved and maintained. Cllr Owen suggested the Parish Council consider using the OS Mapping Service for £20pa.

### **10/13 Red Lane Play Area**

The Clerk reported that she had received the following quotations in relation to the maintenance of the play area in Red Lane, should the Parish Council take over responsibility for maintenance :

Play Area Inspection Report - £100 per annum  
Grass cutting/strimming – 14 visits a year @ £30 per strim/cut - £420  
Insurance (equipment) - £77

In addition to the above total cost of £597, there may be additional costs for signage, repairs, emptying bins and litter removal.

The Chairman raised an issue, on behalf of a resident, regarding insurance cover and the Clerk confirmed that the Parish Council already had public liability insurance. The Chairman expressed concerns regarding the maintenance costs for a facility which did not cater for the needs of a wide age range, however Members felt it was important to retain the facility within the village. No formal details had been received from Warwick DC regarding the formalities of taking the facility over, although this information had been requested by the Clerk and Cllr Blacklock. Following a vote, it was

RESOLVED : that the Parish Council write to Warwick District Council formally expressing an interest in taking over the play area in Red Lane

## **11/13 Finance**

### **11.1 2013/14 Budget and Funding requirement**

Members considered and approved the income/expenditure analysis, bank reconciliation and estimated forecast to the end of the current financial year as contained in Appendix A. Members ratified the Clerks Contract of Employment as previously circulated, which included the following financial considerations ; annual incremental progression from 1<sup>st</sup> April each year, £4 per week office allowance to cover use of space and utilities, £5 per month for internet/broadband usage and option to join Local Government Superannuation Scheme subject to formal resolution at a Parish Council meeting.

The Clerk presented the proposed budget for 2013/14, recommending a minor adjustment to allow for the costs of maintaining the Red Lane play area ; Capital allocation be reduced from £3000 to £2000, and a new budget heading of £1000 for the play area. It was also noted that the sum of £1500 was ring fenced for expenditure on the Parish Plan only.

RESOLVED : Members approved the budget as presented with the above Amendments, as contained in Appendix B

Members considered the financial forecast for future financial years and the effect on the accounts in the event of precept being capped, it was agreed that the Parish Council did not want to increase the precept to cover for this eventuality and would look at budgetary savings as a preferred option. It was, therefore

RESOLVED : That the precept request be set at £9848 (Budget requirement for 2013/14 being £10333, less grant from WDC of £485 = Precept amount of £9848)

The Parish Council also wished to formally record their thanks to Warwick District Council for passing on the full funding equivalent to the net reduction in each local preceptor's Tax Base

### **11.2 Accounts for payment**

RESOLVED : that Members approve the following accounts for payment

Key Manutan – two yellow grit bins	£477.60
IOW Computer Geek – website design	£390.00
WALC – Attendance Annual Briefing	£54.00
Warwickshire County Council – Oct, Nov & Jan room hire	£135.00
Mrs L Baudet – Dec & Jan salary and mileage	£484.88

HMRC – Dec & Jan tax deductions	£132.24
Mrs L Baudet – reimbursement Microsoft office, ink for Clerks printer Aug to Jane, ink for PC printer Jan, office Allowance and broadband, anti-virus software, stationery And postage	£363.71
Aon UK Limited – insurance for grit bin and IT equipment	£7.59
RD Transport – delivery of grit bins to Burton Green	£40.00
The Direct Office Supply Co Ltd – filing cabinet	£224.15
Confirmation of annual direct debit set up with Lloyds TSB with 1&1 for hosting fee, currently £30.30 per annum. The Clerk confirmed the asset register and insurance values had been updated on purchases.	

### 11.3 Risk Assessment and Review of Internal Financial Controls

Members considered the Risk Assessment presented by the Clerk (Appendix C) and it was  
RESOLVED : that the Risk Assessment be approved and adopted, subject to annual review

The Clerk outlined the current Internal Financial Controls which included quarterly income and expenditure analysis statements and bank reconciliations. In addition the Clerk suggested the when cheques are signed the stubs and invoices against which they are being paid are also initialled, and that at least one Councillor is nominated each year to go through and check the accounts before they go to the Internal Auditor. It was agreed that Cllr Hickinbottom would check the 2012/13 set of accounts.

### 12/13 HS 2

Members approved the consultation response to HS prepared by Cllr Stewart and contained in Appendix D. Thanks were recorded to Cllr Stewart for co-ordinating the response which was professionally presented.

## 13/13 **Planning**

### 13.1 Le Van

The Clerk reported on communication received by The Planning Inspectorate at Bristol, notifying the Parish Council that Le Van (Avon Estates) had submitted an appeal against the decision by Warwick District Council to refuse a Certificate of Lawfulness for the proposed use of the site for the stationing of twenty caravans. It was agreed that a letter be sent to the Planning Inspectorate from the Parish Council, supporting the decision of the District Council and providing evidence regarding the history of the site.

13.2 There were no other planning applications for consideration. Cllr Blacklock reported that the Lookin Shop in Cromwell Lane intended to submit another application to convert their premises back to residential use.

13.3 The Clerk reported on the following planning decisions ; 7 Hob Lane – approved, 195 Cromwell Lane – approved.

13.4 Cllr Owen reported on a forthcoming workshop he would be attending on Neighbourhood Planning, and requested that the Parish Council discuss the matter further at the next meeting.

## 14/13 **Communications**

Members received details of communications received (Appendix E).

### 15/13 Councillors reports and items for future Agenda

No items reported.

### 16/13 Date of future meetings

The next meeting would be held at Burton Green Village Hall on 18<sup>th</sup> February 2013 at 7.30pm (Mr Hay from WDC Planning would be attending the meeting). Future meeting dates/venue to be placed on next Agenda.

### 17/13 Termination of meeting

The meeting closed at 9.40pm.

Signed ..... (Chair)

Date .....

APPENDIX A

## BURTON GREEN PARISH COUNCIL BUDGET ANALYSIS 2012-13

	<b>FY 12/13 Budget agreed</b>	<b>FY12/13 Actual to 28.11.12</b>
<b>£ PAYMENTS</b>		
a Advertising	100.00	250.00
b Audit expenses	190.00	0
c Capital (equipment purchase)	2000.00	424.83
d Clerks salary costs (Leach & Baudet)	4214.00	1511.24
e Election fees	3500.00	0.00
f Equipment maintenance	50.00	0
g Grants (s137)	500.00	270.00
h Hire of rooms for meetings	396.00	240.00
i Insurance	675.00	305.62
j Office maintenance	50.00	0.00
k Postage/Telephone	230.00	19.50
l Publications	120.00	115.00
m Stationery	200.00	11.32
n Subscriptions	436.00	282.00
o Training	400.00	120.00
p Travel expenses	113.00	44.10
q Unforeseen expenditure	600.00	40.00
r VAT	0.00	72.23
s Website	307.00	0.00
<b>Total</b>	<b>14081.00</b>	<b>3705.84</b>



## £ RECEIPTS

Bank interest	0.00	0.00
Capital share	10654.00	10654.00
Precept	10333.00	10333.00
VAT refund	0.00	0.00
Other	0.00	0.00
<b>Total</b>	<b>20987.00</b>	<b>20987.00</b>

APPENDIX A

## BURTON GREEN RECONCILIATION - FINANCIAL YEAR 2012/13

### Receipts and payments reconciliation as at 28.11.2012

Balance brought forward	0.00
plus receipts	20987.00
minus payments	3705.84
<b>Total</b>	<b>17281.16</b>

### Bank reconciliation

Lloyds bank account	17533.20
Cash	0.00
<b>Total</b>	<b>17533.20</b>

less unrepresented cheques

Chq 10	Westwood PC - room hire	60.00
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Chq 20	HMRC Tax deductions	129.00
Chq 24	HMRC Tax deductions	43.04
Chq 27	Poppy wreath	20.00
		<b>252.04</b>

Total after unrepresented cheques deducted

**17281.16**

APPENDIX A

### BURTON GREEN ESTIMATED FORECAST TO END OF 2012/13 FINANCIAL YEAR

	Budget agreed	Actual to Dec-12	Est to Jan-13	Est to Feb-13	Est to Mar-13	Estimate Total
<b>£ PAYMENTS</b>						
Advertising	100.00	250	0	0	0	250.00
Audit expenses	190.00	0	0	0	0	0.00
Capital (equipment purchase)	2000.00	424.83	398.00	0	3000.00	3822.83
Clerks salary costs (inc HMRC)	4214.00	1511.24	593.16	238.58	238.58	2581.56
Election fees	3500.00	0	0	0	0	0
Equipment maintenance	50.00	0	0	0	0	0
Grants (s137)	500.00	270.00	0	0	0	270.00
Hire of rooms for meetings	396.00	240.00	45.00	45.00	45.00	375.00
Insurance	675.00	305.62	7.59	0	0	313.21
Office maintenance	50.00	0	245.50	19	19	283.5
Postage/Telephone	230.00	19.50	15.00	10.00	10.00	54.50
Publications	120.00	115.00	0	0	0	115.00
Stationery	200.00	11.32	39.66	30.00	30.00	110.98
Subscriptions	436.00	282.00	0	0	0	282.00
Training	400.00	120.00	93.00	0.00	0	213.00
Travel expenses	113.00	44.1	25.00	10.00	10.00	89.10
Unforeseen expenditure	600.00	40.00	40.00	0.00	0.00	80.00
VAT	0.00	72.23	109.03		600.00	781.26

Website	307.00	0	430.00	0	0	430.00
<b>Total</b>	<b>14081.00</b>	<b>3705.84</b>	<b>2040.94</b>	<b>352.58</b>	<b>3952.58</b>	<b>10051.94</b>

<b>£ RECEIPTS</b>	Budget agreed	Est to Dec-12	Est to Jan-13	Est to Feb-13	Est to Mar-13	Estimate Total
Bank interest	0.00	0	0	0	5.00	5.00
Capital share	10654.00	10654	0	0	0	10654
Precept	10333.00	10333	0	0	0	10333
VAT refund	0.00	0	0	0	0	0
<b>Total</b>	<b>20987.00</b>	<b>20987</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20992.00</b>

APPENDIX B

**BURTON GREEN PC - DRAFT PROPOSED BUDGET 2013-14**

	Budget 2012/13	Est actual March 2013	Prop 13-14 budget
<b>£ PAYMENTS</b>			
Advertising	100.00	250.00	250.00
Audit expenses	190.00	0	160.00
Capital (equipment purchase)	2000.00	3822.83	3000.00
Clerks salary costs (inc HMRC)	4214.00	2581.56	3000.00
Clerk office allow & internet	50.00	89.10	268.00
Clerk superannuation	0.00	0.00	513.00
Election fees	3500.00	0	3000.00
Grants (s137)	500.00	270.00	500.00
Hire of rooms for meetings	396.00	375.00	630.00
Insurance	675.00	313.21	400.00
Legal/professional fees	0.00	0.00	100.00
Parish Plan *	0.00	0.00	1500.00
Office maintenance		283.50	see office costs
Office costs (stat,post,tel)	230.00		500.00
Play Area - Red Lane	0.00	0.00	1000.00
Postage/telephone		54.50	see office costs
Publications	120.00	115.00	50.00
Stationery	200.00	110.98	see office costs

Subscriptions	436.00	282.00	350.00
Training	400.00	213.00	300.00
Travel and expenses (Cllrs)	113.00	0	100.00
Travel (Clerk)			120
Unforeseen expenditure	600.00	80.00	see village misc
Village - misc items	0.00	0.00	600.00
VAT	0.00	781.26	200.00
Website	307.00	430.00	40.00
<b>Total</b>	<b>14031.00</b>	<b>10051.94</b>	<b>16581.00</b>
<b>£ RECEIPTS</b>	Budget agreed	Est actual Mar 2013	prop 13-14 budget
Bank interest	0.00	5.00	5.00
Capital share	10654.00	10654.00	0
Precept	10333.00	10333.00	10333.00
VAT refund	0.00	0.00	781.26
<b>Total</b>	<b>20987.00</b>	<b>20992.00</b>	<b>11119.26</b>

\* ringfenced budget from capital allocation from Stoneleigh & Ashow joint PC

#### APPENDIX B

### Forecast Receipts & payments to March 2013

Balance brought forward	0
plus receipts (forecast)	20992.00
minus payments (forecast)	10051.94
Total forecast balance to carry forward to 2013-14	10940.06 actual

#### Earmarked reserves:

Election costs	3000.00
Parish Plan	1500.00
<b>TOTAL</b>	<b>4500.00</b>

#### "Free" reserves:

(NB 'free' reserves should be 50% of Precept ie £5166)

**6440.06**

### Forecast Receipts and payments to March 2014

Balance brought forward	10940.06 forecast
plus receipts (forecast)	11119.26
minus payments (forecast)	14081
Total forecast to carry forward to 2014-15	7978.32

Earmarked reserves (same)	4500.00
Free reserves	3478.32

## APPENDIX D

By email to

[Hs2propertyconsultation@dialoguebydesign.com](mailto:Hs2propertyconsultation@dialoguebydesign.com)

This response is on behalf of Burton Green Parish Council.

Burton Green is a rural Parish with [450] properties located in Warwickshire, 66 properties are within the Safeguarding and Voluntary Purchase Zones as currently drawn and the vast majority of properties within the Parish are subject to blight from HS2 since March 2010 and for the foreseeable future.

Burton Green is the most affected community on the proposed route outside of London not just as a percentage of the affected population but on the damage done to a community. The proposed route carves its way through the heart of the village and straight through the village hall with over 15% of the village households likely to be demolished or seriously impacted. The viability of our village is put at risk by HS2 through the loss of the village hall and by splitting the village in two it jeopardises the future our village school [ofsted xxxx]. Small businesses in the Village will cease due to disruption and cost. To this end it is vital that an appropriate, sympathetic and fair compensation scheme is put in place. Whilst there are some elements of these proposals that we support, in considering them in the round and bearing in mind the significant impact HS2 will have on our Parish, we find the consultation proposals inadequate and fundamentally flawed. In summary;

they fail to take into consideration the direct and wider impact on the community,  
they fail to support the normal operation of the property market, offering homeowners the choice of being trapped in their own homes or suffering significant financial loss through no fault of their own, there is no compensation or mitigation mechanism for people who stay in their homes throughout the construction period, which is acknowledged in the consultation a having a greater impact than the operational phase,  
they offer no confidence for properties over or near tunnels,  
and some of the proposals are worse than the ineffective and unjust Exceptional Hardship Scheme and previous HS1 Scheme.

### **Question 1. What are your views on the proposed Advanced Purchase Process?**

We broadly agree to the Advanced Purchase Process but it should apply to all property owners not just owner occupiers. We feel that this is unfair on landlords and owners of second homes and we request that the Government investigates whether it is possible to widen the scope of the classes of owner that can participate in the advance purchase scheme.

We welcome the extra certainty given within the proposals to accept blight notices from all properties within the safeguarded area and support the proposal to accept blight where the garden of typical residential property is in the safeguarded area but the house is not.

We feel that the lack of clarity regarding the treatment of properties only partially within the safeguarding zone is unsatisfactory. We suggest that it is good policy, as far as is possible, to avoid the need for value judgements where the eligibility for compensation is in question. We suggest that the rules that will govern the eligibility of owners of properties that are only partially within the safeguarding zone should be more rigorously defined in order to avoid the need for value judgements.

Better definition of residential, commercial and charity run properties such as the village hall and Alms Houses are needed.

Will the proposed new valuation index for property values affect the proposals for paying adequate compensation as applied at today's date?

### **Question 2. What are your views on the Voluntary Purchase Zone (VPZ)?**

The arbitrary 120m VPZ too prescriptive and does not take into account the impact on properties bordering the zone, local topography and more importantly whether a property is blighted and loss suffered. The principle applied should be whether the property is blighted and not the exact distance from the proposed route. The size and shape needs to be set by market loss rather than arbitrary distance limits. Consideration needs to be given to the pattern and location of dwellings to avoid unfair treatment of neighbours inside and bordering the zone, properties that border proposed zone are already affected now. Within Burton Green there are specific locations where it would be more appropriate to consider clustering properties that are equally impacted into the zone, for example Hodgetts lane, Cromwell lane and the top of Red Lane.

Another approach could be to define contours of loss developed by local property professionals to define the VPZ.

As with question 1 we believe that it is unjust to only apply the scheme to owner occupiers and that any property owner who is blighted should be eligible.

Proposals for compensation to those in the VPZ to be less than for properties in the safeguarded zone (due to the lack of home-loss payments and removal expenses not being covered) are unacceptable. This is inconsistent with the message from Government stating that the compensation schemes will be above and beyond, yet the offer is worse than that made over 20 years ago in HS1.

### **Question 3. What are your views on the proposals for a sale and rent back scheme?**

We are broadly supportive of the sale and rent back scheme. However, it should apply to all properties within the safeguarded zone not just those that are due to be demolished. Also it should be open to commercial as well as residential properties.

**Question 4. What are your views on the proposed approach to the application of the Hardship Criterion for the long term hardship scheme for Phase1?**

Firstly the hardship scheme needs to be redefined as a compensation and mitigation scheme. Already a large proportion of Burton Green's 450 properties are blighted and that this scheme should be applicable to prevent loss to our property owners as a consequence of a scheme that we have no choice over. Polluter pays is an established principle championed by Government in many areas yet it is being inadequately applied in these proposals.

With regard to the specific criterion, we have the following comments:

**1. Property type.** As highlighted in our response to questions 1 and 2 it should be all property owners and not just owner occupiers that are eligible for consideration to the scheme, as it is clearly the owner that is suffering the degradation in value of their asset due to the blight caused by HS2. Also non residential properties will also suffer blight and therefore should be included.

**2. Location of property.** Whilst that we accept that the boundary is not specific the criteria needs to identify whether the property has suffered loss in value as a consequence of the construction or operation of HS2. However, the uncertainty arising from this needs to be addressed in a timely manner with potential zones or postcodes being identified as zones based on market data supplied by local estate agents.

**3. Effort to sell.** It is unreasonable to market a property for 12months before being eligible for the scheme, this is worse than the current EHS and Crossrail terms of 3 months. There may be reasons for owners to need to move quicker, such as pregnancy, work relocation or medical reasons to name but a few. Also where the property market is blighted by HS2 as in Burton Green we have already seen estate agents refusing to market properties at unblighted values or asking for upfront fees of typically £1500 or more to market the property. Statutory blight should be accepted if a number of properties in the same location have already failed to sell at the unblighted value. The 15% value should be lower, typical variations between the sale and purchase prices of a normally functioning property market in this area prior to HS2 announcement were less than [5]% [check with local estate agent]. Why should affected property owner suffer a significant loss without compensation, typically [£40- 60k] for an average property in this area.

**4. No prior knowledge.** Whilst we understand this principle, it does create a disparity in the housing market between buyers and sellers, since it means that a buyer of a property will not enjoy the same entitlement to participation in the long term hardship scheme as the seller (since the buyer will, of course, have "prior knowledge" of the HS2 proposals). This is likely to depress prices in the area as the buyer would expect a discount to take account of the blight. [A better solution would be for a Property Bond as this would improve market confidence and reduce blight.]

**5. Hardship.** We do not agree with the requirement of the 'need' to sell. Whilst undoubtedly people will need to sell for various reasons the vast majority of house moves are part of the normal operation of the property market as people move up and down the property ladder or wish to release equity or personal choice. Whilst we accept investment in property carries risk, we cannot accept a minority being forced to pay twice for HS2 both through taxes as a tax payer and an innocent victim of uncompensated planning blight. The demonstration of a need is inappropriate and is at risk of leaving many people affected by HS2 as prisoners in a property that they cannot sell or victims of unjust financial loss if they do. It is our firm opinion that any compensation scheme should protect innocent people from financial losses as a

result of planning blight and not to find ways to prevent paying them. This scheme needs to address this, at present the requirement of need is a pitiful excuse to avoid pay rightful compensation, HS2 is the polluter and must pay. **If fair compensation cannot be afforded then surely HS2 cannot be afforded.**

**Question 5. What are your views on the proposed process for the operations of the long term hardship scheme for Phase1.** The absence of an independent appeals body is an affront to natural justice and plain common sense. Evidence from the EHS is that one is needed. Valuations need to be carried out by trusted local valuers who are familiar with the intricacies of the local market, this needs to be one of the assessment criteria when appointing to this role, to garner trust and good faith in the whole process.

**Question 6. What are your views on the Government's proposals to restore confidence in properties above tunnels?**

Confidence is not restored as there is no compensation proposed therefore blight is unaddressed. Have HS2 asked the insurance national body how their members would feel about insuring properties in this situation? This is crucial for Burton Green as there will be a tunnel deep bore or a cut and cover through the centre of the village.

The treatment of exposure to long term vibration and noise has not been adequately addressed. All properties over or close to tunnels should be eligible for compensation via safeguarding at the point they wish to sell not having to wait until operating claims are proven. All properties should be treated in the same way whether they are above tunnels or not - if the property value is detrimentally reduced then the property owner should be compensated and there should be no need to prove hardship to qualify.

Recognition of housing market nervousness for properties over or very close to tunnels should be taken into consideration and will need special consideration due to fears of subsidence and vibration and is likely to affect properties outside the 30 metres proposed distance from the line of a bored tunnel making this distance questionable as to its appropriateness especially pertinent with the topography in our area. Any documents published regarding this subject should come from an independent and unbiased source to be of any worth to property owners and the housing market place.

We would strongly propose a before and after survey/ "Schedule of Defects" survey should be taken for the owners of properties identified as at risk by HS2 Ltd and should not be limited to within 30 metres of the tunnel centreline if the individual instance requires i.e. within a very close proximity and should be taken on a case by case basis. The after survey should also be made available for a much longer period than proposed we suggest a minimum of 10 years. Clearly payment for this has to come from HS2 Ltd and not from the home owner.

Publication of the noise and vibration minimum and maximum levels should be published and available to the general public.

We cannot see why Settlement Deeds need to be limited to within 30 metres of the tunnel centreline; they should be available to any property owner on request.

Proposals for transferring a settlement deed to a new owner if the property affected is sold should be included in the governments working proposals.

**Question 7. What are your views on how Government should work with local Authorities, Housing Associations and affected tenants to agree a joint strategy to replace any lost social rented housing?**

We support the proposal of providing replacement homes in the same area as to those lost and that they need to be built ahead of the commencement of HS2. However, due regard needs to be taken to the protection of the greenbelt and the general character of the location to ensure no loss of this is incurred, hence a close working relationship with the parish, district and county council is essential. Financing any of this work also needs to be paid by central government especially at a time when councils are being threatened with legal actions on any further charging strategy with precepts being capped too.



### Communications reporting at January 2013 meeting

	Date		From :	Purpose
1	14.1.13	E	HS2	Stoneleigh, Kenilworth & Burton Green Community Forum round 5 meeting, 12th Feb Kenilworth Centre from 6-8pm (circ MH, GA, VO)
2	14.1.13	E	Graham Price, WDC	Permission granted for 195 Cromwell Lane
3	14.1.13	E	Alison Hodge, WALC	Info re Garden Party nominations
4	11.1.13	E	Jane Coates, WCC	For info : WCC's Communities Overview & Scrutiny Committee will be reviewing changes in times of part-night lighting, 15 <sup>th</sup> Jan 2013 10am.
5	10.1.13	E	Gill Hale, Warwick DC	Reminder : feedback on 'Issues Paper' by mid Jan – circulated to Cllrs
6	9.1.13	E	Nicky Frowen, WCC Highways	Ack of request for permission to locate grit bins in Burton Green (PEM Ref 327356)
7	9.1.13	E	Alison Hodge, WALC	Annual Briefing Seminar, 2 <sup>nd</sup> March 2013 at Myton School – circulated to all Cllrs
8	8.1.13	E	Jane Coates, Localities & Partnership Office, WCC	Forum Grant info –deadline for applications 10am on 14 <sup>th</sup> Feb. Circulated to Cllrs.
9	8.1.13	E	Jane Coates, Localities & Partnership Office, WCC	Info on recent house fire and details on free home safety checks – sent to AT for inclusion in Bugle
10	4.1.13	E	Manoj Sonecha, WDC	Internet link to 'holiday activities' mailing list.
11	4.1.13	E	Glendale Services	Email of introduction ; grounds maint, arbculturalist, management services
12	3.1.13	E	Alison Hodge, WALC	Update on CSW broadband (same as item 14)
13	2.1.13	E	Gary Stephens, WDC	Invite to peer review of Planning Advisory Service, 17 <sup>th</sup> Jan 2013 at 10am – circulated to Cllrs
14	28.12.12	E	Jo Giblin & Leigh Hunt, WCC	Update on CSW broadband – circulated to Cllrs
15	21.12.12	E	Graham Leach, WDC	Christmas greetings
16	21.12.12	E	Emma Spandley, WDC	Planning decision : 7 Hob Lane granted -circulated
17	19.12.12	E	Jo Giblin, WCC	Dates for local 2013 events – circulated to Cllrs
18	19.12.12	E	Cllr Coker, WDC and also Mr C Elliott, Chief Exec WDC	Christmas greetings
19	19.12.12	E	Myles Thornton, CPRE	CPRE Dec newsletter – circulated to Cllrs

20	19.12.12	E	Debbie Bennett, WCC	Promotion of Rural Housebound Mobile Library Service – forwarded to AT for inclusion in Bugle
21	18.12.12	E	Alison Hodge, WALC	WALC minutes mtg 12 <sup>th</sup> Dec, precept calc spreadsheet, revised tax base/grant plus Questionnaire on impact of dog control orders with deadline end of Dec – circulated to Cllrs
22	17.12.12	E	Stephen Hay, WDC	Requesting informal mtg with PC village boundary and housing site issues – forwarded to Cllrs
23	17.12.12	E	Myles Thornton, CPRE	Ref workshop 1 <sup>st</sup> Dec ; CPRE 5 tests for HS2 to be presented at workshop by CPRE
24	14.12.12	E	Jo Giblin, WCC	Link for residents to provide ‘have your say’ on Council services (Bugle)
25	12.12.12	E	Alison Hodge, WALC	WALC Newsletter 103 and DCLG Localising Support for Council Tax Frequently Asked Questions – circulated to Cllrs
26	11.12.12	E	Gill Hale, Warwick DC	Feedback on ‘Issues Paper’ by mid Jan – circulated to Cllrs
27	11.12.12	E	Jane Coates, WCC	Kenilworth Gang Show info - circulated
28	10.12.12	E	HS2	Mins of Stoneleigh, Kenilworth & Burton Green Community Forum mtg 21 Nov - circulated
29	10.12.12	E	Jane Coates, WCC	Kenilworth & Locality Cycling Report – forwarded to Councillors
30	10.12.12	E	Alison Hodge	Website log in details for Cllrs - forwarded
31	8.12.12	E	Dianne Malley	Indep consultant offering payroll services
32	7.12.12	E	Chair of WALC/Alison Hodge	Area WALC meeting 12 <sup>th</sup> Dec 2012 and reminder for Cllrs to return Discl Pec Interest Forms to Clerk
33	6.12.12	E	Jane Coates, WCC	Concern over clashes of dates for Forum meetings and BGPC meetings
34	5.12.12	E	Alison Hodge, WALC	Invite to WRCC AGM 12 <sup>th</sup> Dec 2013 at Warwick University – circulated to Cllrs
35	4.12.12	E	Graham Leach, WDC	Proposals for service improvements – comments by end of January : WDC Agendas, WDC Joint Standards Ctte, Planning Committee and Planning Forum - all online rather than paper/post. Circulated to Cllrs.
36	4.12.12	E	HMRC	Webinar information for employers
37	3.12.12	E	Alison Hodge, WALC	Briefing note on Council Tax precepts and Council Tax benefits and rate for excessive CT date – circulated to Cllrs for info
38	29.11.12	E	Dave Edmunds, WDC	Decision notice on Le Van (please also refer to email from Cllr Hills ref this matter to all Cllrs)
39	29.11.12	E	Alison Gregory, WALC	Agenda for WALC (Warwick) meeting, 12 <sup>th</sup> Dec circ
40	27.11.12	E	Jenny Clayton, WDC	Council tax letters (recinding) – circulated to Cllrs
41	27.11.12	E	Alex Miles, Warwick Univ.	Festive invitation, 10 <sup>th</sup> Dec – circulated to Cllrs
42	23.11.12	E	Simon Richardson, WDC	Possible decommissioning of play area – further information to be sent to PC when available

43	22.11.12	E	Gary Stephens, WDC	Advance notice Planning Forum meeting diary date 8 <sup>th</sup> April 2013, allocated point of contact for general planning enquiries for Burton Green EMMA SPANDLEY 01926 456533
44	22.11.12	E	Alison Hodge, WALC	Consultation re HGV vehicle speeds – circulated to Cllrs
45	21.11.12	E	David Price, WDC	Planning app 195 Cromwell Lane ; circ to Cllrs and extension to response deadline was reqd and approved by Cllrs.
46	20.11.12	E	Mr Leach, WDC via Cllr Blacklock	Ratification of position regarding representation on Standards Committee

*L denotes Letter, E denotes Email, T denotes Telephone call*

**PUBLICATIONS CIRCULATED :**

LCR magazine – posted 31<sup>st</sup> December 2012

Warwick University Community newsletter – posted 2<sup>nd</sup> January 2013

Autumn/Winter 2012 Outlook (incl 2013 calender) – posted 2<sup>nd</sup> January 2013