

**MINUTES OF THE MEETING OF THE
LEISURE SERVICES COMMITTEE
HELD IN
ARDEN HALL, CASTLE BROMWICH
ON TUESDAY, 22ND MAY 2018
AT 7.30 PM**

Those present:

Chairman Cllr K Shaw

Councillors

Cllr A Feeney Cllr M Rashid
Cllr Mrs R Shaik Cllr Mrs Haywood
Cllr W Horkan Cllr Mrs J Ward
Cllr J Riordan

Officers: Mrs D Weir
Mrs Y Smith

Public 25
Ward Cllr Mrs Sleigh

The Chairman welcomed the public to the Committee Meeting called to consider implementation of measures to prevent trespass of the parish council's land. He advised that the police only become involved after trespass has occurred. Once trespassers are on the parish council's land, the Council have to obtain a court order authorizing removal and instructing a bailiff. Previously, the police had removed trespassers using the Parish Council's byelaws, but would now only remove trespassers with a court order. If there is a fear of public disorder then the police could use a S.61 Notice and act without a court order if they felt there were sufficient grounds.

The Chairman explained that the Parish Council was considering how to protect the land having regard to advice from the Borough Council's Environment Manager and Conservation Officer and their differing views on how the land should be protected, and views expressed by members of the public. The Chairman advised that whatever system was adopted, this would not please all people and the biggest impact would be on residents who lived adjoining the site. A double ditch had been recommended for Bradford Gardens but this created problems as the land was in the conservation area and the avenue of trees covered by TPO. The remaining trees as they were in the conservation area were also covered by TPO. He explained that there was no other group of listed buildings in the borough similar to Castle Bromwich with the number of grade 1 and grade 2 listed buildings.

The Chairman outlined advice that to protect the trees covered by TPO the ditch would need to be well away from the trees, but this created problems in that it would leave sufficient land between the ditch and the road for further trespass to occur.

The Chairman advised that the Parish Council cannot freely take action which would obstruct the views and character of the buildings. Previous advice from the Home Office and Police and Crime Commissioner had been circulated to members, which outlined the need for a transit site within the borough.

The Chairman clarified the position with regard to the Borough Council's Injunction which the Borough Council had confirmed did not apply to land owned by the Parish Council.

1. Apologies.

Cllrs M Strong who had a prior engagement, Cllr E Knibb who was unwell and Cllr Mrs Allen who was attended another meeting.

2. Declarations of pecuniary or conflict of interests.

None declared.

3. Dispensations.

None requested.

4. Questions from Councillors.

None.

5. Questions from the Public.

Various concerns were raised by members of the public, including objection to installation of a double ditch. The Chairman advised that the Parish Council had consulted with local residents who would be directly affected by the proposals and only 3 had objected to the double ditch. Members of the public felt that bollards would look far more attractive, similar to those at Hodge Hill Common. Since these had been installed, trespass had not occurred. The Chairman reminded members of the Borough Council's advice, that the only effective solution was a double ditch, as bollards could be cut down. Metal bollards/fencing was raised. A resident asked for another meeting with the Borough Council's Officers. The Chairman advised that the Parish Council would need to liaise with them over measures installed, but that cost had to be considered. Residents felt that the increase in the precept should cater for the cost of any measures implemented. A resident commented that the whole of the parish should be consulted. The Chairman felt this was impractical, the Parish Council had consulted with all those in the immediate vicinity, which was far in excess of those consulted with regard to consultation on planning applications undertaken by the Planning Authority. Following extensive discussion of the issues raised by residents, the Chairman closed Public Forum.

6. To consider implementation of measures to prevent unauthorized vehicular access onto Bradford Gardens.

Following consideration of issues raised during public forum and the advice of the Borough Council's Conservation Officer, members considered a raised mound being installed, but had regard to advice from the Environment Manager that although this would not damage the trees, it would not prevent unauthorized access. Cllr Riordan suggested a double ditch and mound in line with previous advice, but to include posts. Cllr Horkan felt this would be a sensible approach. The Chairman pointed out the advice of the Conservation Officer and the likelihood of damage occurring to the trees covered by TPO if the double ditch was installed. Any damage could be considered a criminal offence as it was a deliberate action. The Chairman asked members to consider implementation of posts around the perimeter. Following a proposal for posts to be installed around the perimeter of Bradford Gardens, it was **RESOLVED:** that standing orders be waived to enable the Clerk to arrange for installation of posts in accordance with the verbal estimate given by the Grounds Maintenance Contractor and to be within the previously approved budget and subject to any work in the vicinity of the trees to be with the approval of the Borough Council's Tree Officer.