

**BOURNVILLE VILLAGE TRUST
LAWLEY VILLAGE MANAGEMENT COMMITTEE**



**Minutes of the Lawley Village Management Committee
Meeting held at the Oak Tree Centre, Lightmoor Village,
on Thursday 7th March 2019 at 09.15 a.m.**

PRESENT:

Benedict Croft (Chair), Becci Youlden (Secretary), Alison McKittrick, Caroline Cadbury, Roger Wilson, Jim Weir, Rob Sullivan, Keir O'Leary.

IN ATTENDANCE:

Peter Richmond, Tony Kimber, Fleur Hemming, John Haywood, Jill Holland - (minute-taker).

VISITING TRUSTEES

None.

OBSERVERS

Yvonne Davies, Dawn Southey.

141 APOLOGIES

Ellen Rose, Helen Gordon.

142 DECLARATION OF INTEREST

None.

143 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 22nd November 2018 having been circulated, were noted to require one amendment:

Caroline Fowler – Wright should be Caroline Cadbury.

Following this amendment, the minutes were **APPROVED**.

144 MATTERS ARISING

None.

145 ALTERATION APPEALS

John Haywood presented the report (**copy filed with the minutes**).

John Haywood advised the Committee that although all of the appeals were extensive, some of the information provided was not relevant.

Appeal 1 - 9 Eastcote Avenue

John Haywood referred to the appeal and informed the Committee that although there was stone coating in the Village it was not at the back of the properties like in this instance. He advised that a property owned by Sanctuary Housing had made a similar alteration which led Officers to take action to have it returned to the original brick material. In addition, Officers consider this alteration as poor workmanship therefore, it is expected that it can be repaired successfully.

Benedict Croft asked the Committee for their comments to which the Committee had none.

The Committee REJECTED the alteration application appeal.

Appeal 2 - 37 Yewtree Moor

John Haywood informed the Committee that no actual appeal had been submitted by the resident. He then went on to advise that the render does not need painting, just a good clean, along with the windows sills. John Haywood referred to the photo within the appeal pack.

The Committee discussed the alteration and agreed that the dark blue colour was not present elsewhere in the Village and as such it does stick out. The Committee has to consider whether it was allowable for residents to change the colour of the render and whether the colour was suitable. John Haywood suggested that neither should be allowed as Officers believe it could set a precedent for future alterations and that it was not within the palette of colours for that phrase.

Therefore, Officers recommend that the appeal be refused and the colour be changed. Whilst Officers appreciate that to change the colour and remove the paint will be very difficult they are of the opinion that they can be repainted near to the original colour.

Jim Weir advised the Committee that 3 residents had contacted him and stated that they thought it was an attractive colour but was clearly different from the other houses. He foresaw that if the appeal was upheld then residents would complain as theirs had been refused. Furthermore, if it is accepted then it would give the impression that the covenants have not been upheld.

The Committee noted that whilst it was not an offensive colour it could have massive implications on other parts of the Village.

Roger Wilson agreed with Jim Weir and informed the Committee that BVT went to a lot of trouble to compile the Design Guide. He understands that some residents own their own properties and therefore believe they can undertake such alterations, however, they cannot do so without permission from BVT.

The Committee acknowledges that there are residents who do not know that they have to make an application for such alterations and who may not be

aware of the covenants.

As such the Committee felt that residents should be regularly reminded of the covenants. John Haywood informed the Committee that in his opinion the resident is already aware of the covenants as there have been previous issues.

Jim Weir advised the Committee that it was clear from the community discussions that those residents who used an alternative conveyancer were made aware about the covenants.

Benedict Croft suggested that based on the Officer's opinions it would be prudent to refuse the appeal. Becci Youlden acknowledged that the resident was not the first to discuss the render and that BVT did need to educate residents that this type of render does not need painting.

The Committee discussed the aspects of rendering and agreed that it was not currently contained in the Design Guide. Alison McKittrick referred to the Design Guide and advised the Committee that any type of alteration required consent from BVT.

Benedict Croft proposed that the resident be informed that it was a need to clean the render rather than paint it and that would it be permissible to paint over the works and find the correct colour with help from Officers.

Fleur Hemming enquired into what would happen if the resident refuses, to which John Haywood advised that the resident would be placed in breach.

The Committee REJECTED the alteration application appeal.

Appeal 3 - 8 Hobbins Lane

John Haywood provided the Committee with an insight into the alteration. The resident had replaced a flower bed with a parking space, although this was not needed as there is suitable parking nearby.

In addition, the resident claims the space looks tidy and has referred to other untidy areas of the Village. Officers were of the opinion that this could set a precedent to allow others to remove their front gardens and replace with a parking space.

Officers recognise that on balance this does remove the issue of parked cars blocking the roads, however, it is still against the Design Guide.

Tony Kimber commented that applications for such works have been received in Bournville and Hampstead, which have been refused. If the Committee allowed the alteration, then this would open the flood gates to similar alterations.

Jim Weir questioned if this was the case where the daughter was scared to walk from the car park space due to anti-social and that it could be a safeguarding issue. Benedict Croft replied that having visited the property, the permitted parking space was not that far from the actual house

John Haywood mentioned parts of the appeal which referred to a problem with Sanctuary Housing and anti -social behaviour.

The Committee discussed whether equality legislation might have a bearing on the appeal and agreed that it should be mindful about this. In addition, Pete Richmond added that clarity was needed in order to make a decision and it was his understanding that there had been no such disclosure to Officers.

Becci Youlden informed the Committee that this could be looked at within the working group 1 as part of the Design Guide review.

Roger Wilson advised that it was important to be sympathetic with residents who may have a disability and John Haywood reminded the Committee that it was important not to put people off from moving to the Village. The Committee acknowledged that in certain instances Officers will have the discretion to work outside the Design Guide.

Tony Kimber referred to a case in Birmingham, where there may be possible court action, where the daughter is unwell but it is not known whether she would be covered by equality legislation.

The Committee agreed that there will be genuine instances when people may need adaptations to the external of their properties.

Yvonne Davies commented that it would be easy to add parts about life long limiting illnesses and this would assist Officers to make well informed decisions.

The Committee discussed how properties could be adapted and then be returned to their original form once a resident moves out. However, Jim Weir added that that this seemed wasteful. To which John Haywood suggested that each case would be considered on its own merit and as such the decision would be made to remove the alteration or let it remain.

The Committee REFUSED the appeal.

Appeal 4 - 2 Dobbins Lane

John Hayward presented the appeal and reminded the Committee that the property was not served by the IRS. Whilst Officers acknowledge that SKY usually do not want to place the dish at the rear of the property as it means more work for them, Officers believe the current location is not in keeping with the Village.

The Committee REJECTED the alteration application appeal.

Appeal 5 - 147 Birchfield Way

Whilst Officers recognise that the resident has done a good job with the garden, the change of types of slate is not acceptable. In addition, John Haywood referred to another resident who had undertaken the same

alteration and as a result, Officers are now taking action against them. Therefore, if the appeal was upheld it would be difficult to stop any similar alterations from being made in the future.

Benedict Croft reminded the Committee that if action was already being taken against the resident then a consistent approach is required.

Caroline Cadbury stated that she thought the whole point of the Design Guide was to ensure that it was fair to all residents and that it be abided by.

Jim Weir compared the appeal to the first one and that it appeared to have the same issues, them being making changes that may not be to everyone's tastes.

Fleur Hemming suggested that when residents make comments on Facebook, that it would be of massive help for the Resident Representatives to also comment on the post. Hopefully, this will encourage more residents to become involved. To which Benedict Croft agreed and stated that he would be happy to comment on such posts.

Roger Wilson commented that as the Village gets bigger and more people move in, it is important for residents to understand and be aware of the Design Guide. It is also important to impress this on the developers too. Furthermore, it is very clear that Officers spend a considerable amount of time on such cases.

Tony Kimber referred to the process made by the working group and that once the Design Guide review is completed then there will be a relaunch. He then advised that Officers should contact the local solicitors and estate agents to warn them that their sales could potentially slow down as a result of residents being in breach and therefore, being unable to sell their homes..

Jim Weir advised the Committee that the transparency of the process will help invite residents to attend the appeal hearings. To which Becci Youlden replied that there is already a provision for residents to do so.

The Committee acknowledged that the information from the appeals would be useful to help shape the Design Guide and that this should be communicated to residents. In addition, it was of paramount importance that a consistent approach is continued towards the estate agents who advise their buyers of the best places to live and that by adhering to the covenants it restrict unplanned work and poor workmanship.

Becci Youlden referred to Roger Wilson's earlier point regarding having a sub group for residents to present their appeals. This would mean the appeals are heard in a more timely manner and as such the residents would receive the decision sooner.

Roger Wilson expressed his satisfaction that all 5 appeals had been rejected and said that it was important to remind residents that, as is the case in Birmingham, by not permitting unauthorised alteration offers some protection of the character of the Village and as such can lead to a rise in house prices.

Jim Weir informed the Committee the appeals could be devolved to resident level as their meetings are taking place monthly. He anticipates that the Resident Representatives are not far off being in that position to pass to BVT Officers if needed.

The Committee REJECTED the alteration application appeal.

146 REVIEW OF THE TERMS OR REFERENCE (TOR)

Becci Youlden presented the report **(copies filed with the minutes)**.

Caroline Cadbury expressed her concern regarding the quorum and especially the number of Resident Representatives required to ensure fairness.

Becci Youlden confirmed that there were lots of Resident Representatives however, only 8 can attend a Committee meeting at one time and that all Resident Representatives will receive an induction to the role.

Caroline Cadbury stated that it was important to be clear about the quorum and Pete Richmond included that there was a number of issues around the functioning and as such it should re-define the way we are working.

Becci Youlden acknowledged that it needed changing and recommended the "50%" be removed.

In addition, Jim Weir voiced his objection to the matrix level of skills and asked the Committee to consider if they would not accept a person with a disability. He felt it the matrix comes across as being very BVT verses residents. To which Caroline Cadbury and Alison McKittrick replied that it is not.

Becci Youlden reminded the Committee that the TOR was a corporate document but is aware that it is not in keeping with Lawley Village. To which Roger Wilson stated that a lot has been learnt and that it would be possible to incorporate this TOR into a template to be used as a model.

Jim Weir stated that he had always objected to it and that in his opinion it was not fit for purpose. Caroline Cadbury followed by stating that it was not the aspiration of the Committee for it to be run like this and as such she would not be willing to endorse the current TOR either.

The Committee agreed that the Terms of Reference would be revised as part of the working group.

The Committee REJECTED the Terms of Reference.

147 ALTERATION BREACHES: PROPOSED POLICY CHANGES

Becci Youlden presented the report **(copies filed with the minutes)**.

Becci Youlden informed the Committee that following several debates it was evidently clear that breaches within the Village was of major concern for both residents and Officers. It is acknowledged that there are still some residents who are unaware of the process and that a considerable amount of work is still needed to be undertaken to improve communications on the issue. Officers have identified that the welcome packs, websites and information provided to the developers needs to be reviewed.

Becci Youlden added that the objective of the policy was to encourage people to apply before undertaking an alteration and explained to the Committee what the process would be regarding retrospective applications.

Officers would implement the policy to act as a deterrent and all fees received would be given to the Eileen Hewer Community Fund. Residents will have an amnesty of 3 months and those who undertook an unauthorised alteration can apply for a retrospective application. However, it does not mean that consent will automatically be granted.

If residents do not come forward to make a retrospective application then Officers will identify the breaches using the current method. Either way a financial penalty will be incurred.

Officers acknowledge that there may be new residents who do not get the information in time as they may not receive their welcome packs before they undertake the alterations. In addition, as spring approaches residents may want to start making alterations to their gardens.

Jim Weir agreed with this but raised his concerns regarding the amount of time staff spend on it. In addition, he was mindful that with the relaunch of the Resident Representatives in September, all the good work they have achieved could be overshadowed with the new policy.

Benedict Croft expressed his concerns with charging residents more money and believed that they would question what they currently receive. He suggested that this be part of the relaunch of Stewardship.

Tony Kimber enquired into whether Officers know where the breaches are, to which Becci Youlden answered that Officers are out every week in different phases of the Village as part of their estate inspections.

The Committee agreed that it was important to communicate the right message that informs residents beforehand so we can work together to save time and money and help to reduce retrospective alterations and breaches.

Peter Richmond recommended that the working group, led by the Resident Representatives, be part of this and Tony Kimber enquired when the working group would be finalised. Yvonne Davies confirmed that things need to proceed as there is a need to drive things forward.

Whilst Benedict Croft stated that he was concerned that it would create a massive backlash, Jim Weir referred to the working groups which had identified several ideas to make Lawley a more cohesive community village. In addition, he felt that some of the terminology such as the word amnesty,

could be seen as being contentious.

Becci Youlden concluded that discussions need to be had once all the working groups have decided which actions need to be taken and referred to the breach procedure, acknowledged that it was not as robust as it should have been but holding off the relaunch would be unproductive.

The Committee discussed when to introduce the new policy and Benedict Croft asked for input from the Resident Representatives, to which Dawn Southery advised that charging a fee will not be received well.

Jim Weir said that the timing of the short grace period is the problem and that it will do nothing for the relationship between BVT and residents.

Yvonne Davies informed the Committee that there were 2 questions that needed answering. The first is in principle does the Committee agree with the sub groups and secondly, could the implementation date could be delayed.

Jim Weir stated that he has no objection to approving the policy in principle but more work needs to be taken on the timing. In addition, we are heading towards other aspects which will have to be discussed with senior BVT management to ascertain if we still have the same vision.

John Haywood informed the Committee that further discussions would be taking place in the working group on 23rd March.

Yvonne Davies commented that there needs to be a whole committee meeting as the LVCA has many different opinions.

Fleur suggested that in the meantime a message be published to make residents aware. The Committee agreed.

The Committee NOTED the report.

148 RESIDENT FEEDBACK PROGRESS REPORT

Becci Youlden presented the report (**copies filed with the minutes**).

There were no comments from the Committee.

The Committee NOTED the report.

149 STEWARDSHIP REPORT

Fleur Hemming presented the report (**copies filed with the minutes**).

Fleur Hemming provided the Committee with an update on the recent Events and Activities Panel Meeting. There were four applications to the Eileen Hewer Community Fund and each of the applicants presented their case during the meeting. It was nice to see all the attendees interacting with each

other and to start to form relationships with other groups within the Village.

The money from the fund is making such a difference to the community and Officers are looking forward to the next meeting when there will be a discussion on the recently submitted applications. It is clear that there had been a knock on effect from the funding granted last year as more residents are becoming aware of the fund.

The Community Team has been working on their Christmas programme which this year will be in conjunction with all the stakeholders from Lawley Village. In addition, Officers will be devising a Lawley Village Advent Calender for all residents of Lawley and will include all the events from everybody.

The Committee NOTED the report.

150 LAWLEY STEWARDSHIP FINANCIAL REPORT

Becci Youlden presented the report (**copies filed with the minutes**).

Becci Youlden informed the Committee that the budget has out turned below budget primarily due to reduced staffing costs (maternity leave). And delays in the handover of land from the developers. Becci Youlden confirmed that that residents would take a decision on what to do with the surplus at the meeting in May once the account has been audited.

Caroline Cadbury questioned the Community Fund and stated that she would like to see the figures for this. Becci Youlden confirmed that she will obtain this from the finance department and that it sits in a reserve like the Wear & Tear Fund.

Becci Youlden confirmed that she would resend the Wear & Tear Fund Notes that should have been circulated with the reports.

Jim Weir stated that there needs to be a Wear & Tear Fund for the community run assets.

Becci Youlden explained how the two funds work and the Committee requested that there be more clarity. Jim Weir believes that they should be resident lead funds. Becci Youlden agreed and advised that the LVCA need to decide how they want it displayed.

Jim Weir informed the Committee that over the last few months, Resident Representatives have undertaken a lot of work and are now reaching a limit working full time and with the LVCA, as a result they need someone to assist as in an administrative role.

Tony Kimber asked the Resident Representatives if there was a view from residents on what should happen with land that currently has no long term ownership. Jim Weir requested that there be a detailed survey and that the dedicated money go towards the Stewardship of the area and not towards work that should have been undertaken by the developers or Homes

England.

The Committee discussed what the value of taking the land would be and they agreed that it had several possibilities such as a community space or nature reserve. Tony Kimber asked if the land would come with a dowry, to which John Haywood advised that it would come from the developers and some from Telford & Wrekin Council. However, it should be noted that the money will run out at some point and this may then fall to the residents to pay for. Jim Weir added that there could be the potential to create a trading company over time and this will need to be a resident responsibility. However, BVT experience will be required.

John Haywood agreed that it has to be an informed choice and that a survey could be undertaken to explore the options with the land. An alternative could be to give the land to a third party such as the Shropshire Wildlife Trust (SWT) or a separate management company.

Benedict Croft advised that residents would welcome some of the land being given to them.

The Committee NOTED the report.

151 KPI REPORT

Becci Youlden presented the report (**copies filed with the minutes**).

Becci Youlden agreed that the changes made by working group 1 will be included in the next report.

The Committee NOTED the report.

152 UPDATE ON THE WORKING GROUPS IN LAWLEY VILLAGE

Yvonne Davies presented a verbal report.

Yvonne Davies informed the Committee that it was hard to get residents involved and for them to volunteer, however, there had been a mix of people who have attended. There are five constant contributors and the group have achieved a number of things so far and have resolved some issues, such as the Alteration Portal, Breach Procedure and developer issues.

Communication Strategy will be completed by April, by which time it is hoped to review the Design Guide and management costs.

The group will then be looking to begin a proposal about what service they would like and how the management of the estate might look like. Yvonne Davies will be attending the LVCA meeting on 4th April.

The group examined the resident's survey and have now tweaked the last version. It is clear that it is different to that of other BVT surveys.

Both Becci Youlden and Jim Weir agreed that the product is great. In addition, Jim Weir stated that he was thankful that the process had been done and had gone a long way to changes people's perspectives and acknowledged that it was not cheap.

Alison McKittrick queried when the survey would be ready and Becci Youlden confirmed that it would be a couple of weeks but she would inform the Committee once it was completed. The survey would be a blanket one where residents can take part either online or by a paper copy. Each household would be given a unique reference number to ensure they only complete the survey once.

The Committee NOTED the report.

153 ANY OTHER BUSINESS

John Haywood informed the Committee that the transfer of land in phase 1B, by the play area will be transferred to BVT once they are satisfied that the area is up to standard. Committee should be aware that BVT was not meant to take the land, however, it will be visual land for community use once BVT bring it up to their standards.

Roger Wilson advised the Committee that this will be his last meeting in his current position as he will be taking over from Duncan Cadbury as Chair of the Board of Trustees. In turn, Duncan Cadbury will now become the Trustee for the LVMC.

On behalf of the Committee, Benedict Croft thanked Roger Wilson for all his hard work over the years and wished him the best for his future role.

Pete Richmond informed the Committee of the work that had been undertaken with TWC over the past several months. BVT will be working in partnership with the local authority, who have pledged £500,000 over two years in Lawley and Lightmoor with some outstanding issues and concerns. In addition, he confirmed that the Community Charge will be frozen for two years to illustrate the seriousness of addressing residents' concerns

Alison McKittrick thanked the Resident Representatives and Officers for giving up their time to take part in the work.

Tony Kimber informed the Committee that he would be attending a TCPA in London.

154 DATE OF THE NEXT MEETING

23rd May 2019, Oak Board Room, Oak Tree Centre, Lightmoor Village.

.....Chair

.....
Secretary

.....
Date