

HONEYBOURNE PARISH COUNCIL

**Minutes of the Parish Council meeting held at Honeybourne Village Hall, Harvest Close,
Honeybourne WR11 7RH
on Tuesday 10th December 2024**

Members present: Cllrs: H Jobes (Chair) B Dubb (Vice- Chair), T Askew, C Clear, G Clelland, A Mathias and S Sidwell

In attendance: Parish Clerk, Linda Stanton.
County Councillor A Adams (Arrive at 7:55pm left at 8:15pm)
2 members of public

24/472 Apologies : Cllr A Attridge (Work commitment)
Apology noted and accepted by Council

24/473 Declarations of Interest: Councillors were reminded that to ensure transparency and retain public confidence in the council's decisions they are required to -

- a) Keep their Register of Interests form up to date;
- b) Declare any Disclosable Pecuniary Interests (DPI) and any Other Disclosable Interests (ODI) in agenda items and the nature of those interests.

The Chair reminded all members to declare their interest at the start of the meeting and it was not the responsibility of the Chair or the Clerk to remind members of their declaration of interest.

Cllr	Minute	Interest	Reason
G Clelland	Item 24/466 (a) <ul style="list-style-type: none"> • Payment to Limebridge Rural Service 	ODI – Friend	
B Dubb	Item 24/466 (a) <ul style="list-style-type: none"> • Reimbursement for the purchase of Bluetooth speakers 	DPI- Reimbursement to Cllr Dubb	
H Jobes	Item 24/466 (a) Payment to Village Hall Item 24/466 (d) Friend of Honeybourne Station	ODI – Village Hall Trustee ODI- Friend	

24/473 To consider any dispensations.
There were none.

24/474 Open Session Participation to hear from:

- a) Members of the Public.
There were none.
- b) Supporting organisations - South Worcestershire Policing Team.
Not present.
- c) Worcestershire County Councillor A. Adams (Littleton division)
The Chair welcomed Cllr Adams and asked if he wished to address the Council.
Cllr Adams gave his report. **(Appendix 1 – pages 502 -503)**
- d) PROW - Cllr T Askew informed Council that due to bad weather and him not being well the ditch clearing on 1st December was cancelled.
He has received an email from the Director of PROW that the footpath officer will not be able to help the group with any work as she will be transferred to other duties.
Cllr Askew will discuss his concern with County Cllr Adams.

24/475 Adoption of minutes

I. To approve adoption of the minutes of the Parish Council Meeting – 12th November

Resolved:

- I. That the minutes of the Parish Council meeting held on 12th November approved as an accurate record and signed by the Chairman.

24/475 Chairman's report. (If any)

The Chair thanked everyone who helped erecting and taking down the marquee. He thanked Mrs Matthews for volunteering to administer the 'Sponsor A Light For a Loved One'. He thanked the Clerk for coordinating the event. He has received feedback from residents that they had enjoyed the event.

24/476 Clerk's Report

To be advised of any decisions taken under delegated powers, receive updates to ongoing matters and list any relevant office communications since the last council meeting.

a) Community Orchard	A request was placed in December's Village News for residents to assist in planting the fruit trees.
b) Fly tipping – Gloster Ades	Reported to WDC. WDC will arrange for collection.
c) Public Right of Way - Fair Acres to The Leys	Update from County Cllr Adams on improving the muddy footpath. "There is no further progress to report – still awaiting landowner's agreement. The tenants seem happy to help but the landowner's permission is required".
d) Wildflower Meadow	Grass has been collected.
e) See-Saw at The Leys	The see-saw has been installed in a new position a few meters from the original mounting. This is because the mounting hole had become enlarged due to wear and tear.
a) Access to field on Bretforton Road	Planning Enforcement Officer visited the site on 25 th November. He confirms that the works carried out on the field and roadside have been granted permission under planning ref W/22/00238/FUL. Applicant has not contravened planning laws. The application was considered at the PC meeting on 8 th March 2022. " Resolved : The Parish Council have no objection to this planning application."
g) Temporary highway signs	Reported to WCC to collect the signs that have been left around the village.
h) School signage	Asked WCC to re- install school signpost that was blown over during storm Bert. Completed.
i) Streetlight – Stratford Road	Light was not working due to an underground fault. Reported to National Grid. Repair completed on 26 th November.
j) Grit Bin	A new grit bin has been procured for Brick Walk. Bin located by finger post at The Leys. Completed
Resolved: I. Clerk to check with WDC if CCTV can be placed along Gloster Ades to monitor fly tipping II. That the report was noted.	

24/477 Correspondence & Circulations Received

a) Bramble Chase	The residents of Bramble Chase have formed a Resident Association.
b) Temporary Road Closure (Circulated to members)	Proposed Order: to close that part of C2049 Stratford Road from its junction with C2274 Mickleton Road from a distance of 202 metres in a north easterly direction to its junction with C2274 Mickleton Road for a distance of 30 metres in a northerly direction Reason: Bridge inspection works by Network Rail. Exemptions: to permit access to any land or premises fronting the highway affected where there is no other form of access; and to allow the works to be undertaken. Alternative route: C2049 Stratford Road (part), C2006 Station Road, C2006 Buckle Street, C2114 Pebworth Road, C2114 Front Street, C2114 Chapel Road, C2049 Stratford Road (part) and vice versa. Maximum duration: 18 Months. Anticipated duration: 1 night (21:00 – 05:00) Commencing: 15 December 2024

c) Wychavon Parish Games	The Wychavon Parish Games Association Executive Committee will be recommending to their AGM (which will take place on 22nd January 2025 at the Civic Centre) that there should be no increase in the entry fees for 2025. There will also be no charge for the angling pegs. This will then be looked at again next year for 2026.
d) Invitation to Parish Games Presentation Evening (Circulated to members)	Friday 22nd November – 7.30pm for a prompt 8.00 start. Venue: Bengeworth Social Club, 18 Coronation Street, Evesham, WR11 3DA
e) Better Housing Better Health fuel poverty service. (Circulated to members) (Information also published on PC's website and Facebook page.)	The Better Housing Better Health service is a fuel poverty service run by the National Energy Foundation and has recently opened in Worcestershire, working to help residents living in or at risk of living in fuel poverty to access advice and support. They have recently reopened their Emergency Fuel Voucher Scheme, which means they can now issue vouchers worth £49 to anyone on a prepayment meter with any supplier. Their service has no eligibility requirements and to qualify for an Emergency Fuel Voucher, a resident only needs to be low on credit on their prepayment meter. Alongside this, they have a helpline that's free to call where their team can give valuable tips on how to stay warm at home, provide items to improve energy efficiency, sign up those in need of additional support to the Priority Services Register and access grants for energy efficiency grant funding.
f) LGA virtual event: Councils as charity trustees. (Circulated to members)	The LGA and Charity Commission are jointly hosting a virtual event on Councils as Charity Trustees on Tuesday 3rd December, 2pm – 3.15pm, which members are invited to attend.
g) Invite - GWR MD Mark Hopwood stakeholder webinar (Circulated to members)	GWR Managing Director, Mark Hopwood, will be holding their next virtual webinar specifically for stakeholders. He will be updating on the Government's plan for rail, train service performance including Sunday services and the upcoming Christmas closure of London Paddington for the Old Oak Common HS2 station construction. It's taking place via Zoom on Monday 16th December, 1645-1800.
h) Enabling remote attendance and proxy voting at Parish Council meetings	Link to survey : https://consult.communities.gov.uk/local-government-standards-and-conduct/remote-attendance-and-proxy-voting/ Survey closes : 19 th December 2024
i) West Mercia Monthly Bulletin (Circulated to members)	December Fraud & Scam Bulletin
Resolved:	
i) That the correspondence be noted.	

24/478 Finance

a) To approve the schedule of payment for November including invoices to be paid and invoices paid as a matter of urgency

Invoice no	Cheque no	Supplier	Description	Net £	Vat £	Gross £
805131592	Direct Debit	British Gas	Pavilion power and heating	70.87	3.54	74.41
V022780142609	Direct Debit	EE	PC mobile phone	6.30	1.26	7.56
2070811-0	Direct Debit	Sky Business	Pavilion phone line (22 nd Nov – 21 st Dec 24)	26.95	5.39	32.34
INV07466143	Direct Debit	Water Plus	Pavilion water	8.02	-	8.02
231201	BACS	Alcester Silver Band	Band for Christmas Event 29 th Nov 2024	150.00	-	150.00
436	BACS	DTH Churchyard Services	Gravedigging plot 2C 29 th Nov 2024	370.00	-	370.00
FXP241108-16120079	BACS	Equals Money	Top up card to purchase Christmas raffle items	400.00	-	400.00
CN30406075	BACS	Citron Hygiene	Sanitary bin – Pavilion			

			Dec 2024 – May 2025	29.40	5.88	35.28
318764	BAC	Hartwell & Co (Timber) Ltd	Wooden pegs – for Christmas banners	8.28	1.66	9.94
SI-10149	BACS	Security 4 Systems	Monthly IT support	72.00	-	72.00
SI-10147	BACS	Security 4 Systems	Norton software Microsoft 365 software	39.99 79.99	-	119.98
November	BACS	J Hyde	Lengthsman work	130.90	-	130.90
November	BACS	J Hyde	Handyman work	201.13	-	201.13
Tax month 9	BACS	HMRC	HMRC (ending 5 th Jan 2025)	792.11	-	792.11
Tax month 9	BACS	Worcestershire Pension	Pension	789.46	-	789.46
Tax month 9	BACS	Staff salary	Staff salary	2312.21	-	2312.21
3246	BACS	Limebridge Rural Services	Christmas tree including installation, taking down, Storage of lights	965.00	193.00	1158.00
3247	BACS	Limebridge Rural Services	Hedge cutting at playing field, reinstall the see-saw at The Leys, shockwave field at the Leys and collection of grass cuttings at Wildflower meadow	2645.00	529.00	3174.00
6470115915	BACS	Lyreco	Paper cups and stationaries	44.76	8.95	53.71
SIN 134011	BACS	Fairview	Fork and cable ties	18.45	3.69	22.14
026-1291348-4141125	BACS	Amazon (Reimburse Bal Dubb)	Bluetooth active speakers For Christmas event	138.54	27.71	166.25
CG1007	BACS	Village Hall	Refreshments for Christmas event	80.00	0	80.00

Equal Pre- paid debit card

Invoice	Date	Supplier	Description	Net £	Vat £	Gross £
INV-97074	13 th Nov 2024	The Workplace Depot	Salt Grit bin	49.99	10.00	59.99
907121	14 th Nov 2024	Hillers Farm Shop	Gift voucher	41.67	8.33	50.00
319519	15 th Nov 2024	Lidl	Mince pies for hamper	2.29	-	2.29
IEN2024062277133	26 th Nov 2024	Adobe Creative	Software Subscription	16.64	3.33	19.97
764287	28 th Nov 2024	Lidl	Ruby port for Vicar	6.66	1.33	7.99

Resolved:

4 for and 3 abstentions.

b) To approve Bank Reconciliation for November

Honeybourne Parish Council 30 November 2024 (2024-2025)

Prepared by: _____

Date: _____

Name and Role (Clerk/RFO etc)

Approved by: _____

Date: _____

Name and Role (RFO/Chair of Finance etc)

A	Bank Reconciliation at 30/11/2024		184,283.02
	Cash in Hand 01/04/2024		113,463.62
	ADD Receipts 01/04/2024 - 30/11/2024		
	SUBTRACT Payments 01/04/2024 - 30/11/2024		297,746.64
	Cash in Hand 30/11/2024 (per Cash Book)		138,354.04
			159,392.60
	Cash in hand per Bank Statements		
	Petty Cash 30/11/2024	0.00	
	Lloyds Business Bank Instant 30/11/2024	154,992.84	
	Lloyds Treasurers Account 30/11/2024	4,292.85	
	Prepaid Debit Card Equals 30/11/2024	106.91	
			159,392.60
	Less unrepresented payments		159,392.60
	Plus unrepresented receipts		
B	Adjusted Bank Balance		159,392.60
A = B Checks out OK			
Resolved: That the bank reconciliation for November be approved.			

- c) For Noting-** Parish Council Precept and Council Tax 2025 (Local Government Finance Act 1992)
A meeting will be scheduled for Tuesday 7th January at 7pm at the Village Hall to finalise the budget.
All Councillors to attend.

Resolved:

- I. That the budget meeting will be scheduled for Tuesday 7th January at 7pm.

- d) For noting –** Friends of Honeybourne Station have now provided details of their bank account, committee structure and their constitution. Parish Council community grant can be paid

Resolved:

- 7 for and 1 abstention to approve payment.

24/477 Working Groups reports

To receive minutes from Council working groups held since the last Council meeting and Consider recommendations for resolution. (if any)
There were no reports.

24/478 Environment & Community Wellbeing.

- a) To note- revenue received from sale of Christmas raffle was £709.00 and revenue from 'Sponsor A Christmas Light for a Loved One' was £420.00. Members to approve for both sums to be ring-fence for next year's Christmas event.

Resolved:

- I. That both sums will be ring-fenced for next year's Christmas event

- b) List of names for the ‘Sponsor A Christmas Light for a Loved One’ – some names were not published on the list on the Christmas tree on Friday 29th November. Mrs Matthews has apologised to the families and she amended the list on the Christmas tree on the following day.

Resolved:

That the list was amended.

- c) To approve 28th November for next year’s Christmas Switch On Event.

Resolved:

To approve 28th November 2025 for Christmas Switch On Event.

- d) Church yard Notice- The Vicar has asked for the following notice to be published on their noticeboard. Council to approve the following wording provided by the Vicar.
*“The churchyard around St Ecgwin’s is closed for future burials and is cared for by Honeybourne Parish Council. The Parochial Church Council works with the Parish Council in maintaining the appearance of the churchyard.
 The responsibility for maintaining headstones lies with the family of the deceased and the Parish Council cannot accept responsibility for maintaining the memorials. Checks are carried out from time to time to ensure that memorials have not become hazardous. If it appears that a memorial is in a dangerous condition, the Parish Council may have to take action to avoid accidents.
 No trees or shrubs may be planted without the agreement of the Parish Council and Parochial Church Council.
 The following wording should also be included in the notice:-
 “Applications for installation of benches must be obtained from the Diocese of Gloucester. The Parish Council will not pay for any application fee or cost of installation.”*

Resolved:

To approve churchyard notice.

- e) For noting- correspondence received from Warwickshire County Council Executive Officer for Communities.

Resolved:

That the correspondence be noted.

24/479 Planning

- a) Members to respond to planning applications

Application ref	Site Address	Proposal
W/24/02247/CU	Orchard View, High Street, Honeybourne, Evesham, WR11 7PQ	Change of use of highway land to residential curtilage associated with the dwelling 'Orchard View'

Resolved:

The Parish Council have No objection

- b) Notification of Planning Appeal – There were no planning appeals

- c) Members to note planning decision.

Application ref	Site Address	Proposal
i) W/23/02504/FUL	96 Stratford Road, Honeybourne, Evesham, WR11 7PP	Provision of storage containers

Decision:

Approved (**Appendix 2– pages 504 – 511**)

24/480 Members are reminded to notify the Clerk of any items for discussion at the next Council meeting by 31st December 2024.

24/481 Date of next meeting.

Next Parish Council Meeting, 14th January 2025, 7:15pm at Honeybourne Village Hall.

The meeting concluded at 8:35pm

Signed:
Chairman, Honeybourne Parish Council

Date:
14th January 2024

Council Members: H Jobs (Chairman), Bal Dubb (Vice- Chair), A Attridge, T Askew, C Clear,
G Clelland, A Mathias and S Sidwell

DRAFT

County Councillor Report – Honeybourne

Month: December 2024

Prepared by Alastair Adams

Littletons Division, Worcestershire County Council covering Pebworth (including Meon Way Gardens), Honeybourne, Badsey, Bretforton, Offenham, Cleeve Prior, South Littleton, North & Middle Littleton, Ullington, Bickmarsh and Broad Marston)

Dear Resident,

I wish you all a very happy Christmas and a wonderful New Year!

Lets hope the weather is kind to us over the holiday season, and the snow we had at the end of November and then the heavy rain from Storm Bert is all in the past, and things can only get better!

New School flashing lights warning children crossing have been installed in the High Street



These are linked over the internet to County Hall, so the school times are automatically updated and the lights are switched on and off by the central computer.

Following the heavy rain over the last few months, further work has occurred to improve the Highways drainage and flood alleviation schemes; here are some updates;-

1. Gullys cleansed under Honeybourne Bridges and are now working much better. Only a small amount of water gathered under the first bridge during the heavy rain on Sunday 24th November. Further jetting has now been organised to clear outflow pipes to further improve the situation.
2. Bund in farmers field by the Honeybourne bridges repaired but it is to be extended to prevent water coming down Middle Barn entrance onto the road.
3. Tom Furness has agreed to fit a wide ACO drain at the bottom of Grove Farm drive to prevent run off from the farm onto Stratford Rd which will also help prevent flooding under the bridges.
4. Owls Homes have completed their on site flood alleviation scheme by the entrance to the site.
5. The farmer who built the major flood plain that has saved Honeybourne being flooded several times this year is looking at how to keep this valuable asset for the benefit of the community in perpetuity. Without this flood plain, the Gate Inn and the Weston Rd /High Street junction would have been 3 foot deep in flood water on at least 3 occasions this year! (aerial view of the flood plain on 27 Sept below)



The new Zebra Crossing in Bretforton is now all finished and operational. South Littleton Parish Council have now requested one for their village.

The South Littleton Parish Council has now requested a feasibility survey is carried out for a Zebra Crossing to be built along Station Rd, South Littleton

Highways:

Please check <https://one.network/> to see all the temporary road closures and temporary traffic lights on a regular basis. So please do check the <https://one.network/> regularly

- Existing School flashing lights in Station Rd are working but a magnetic key needed to turn them on and off. I have asked Highways of this can be modified so it is also connected to the central computer and is automatically switched on and off.

- Can I remind everyone to try and keep the road gullies outside their houses free of debris so the drains work effectively. Simply remove any leaves or mud with a brush or spade or even with your wellie! By doing this one minute task, it will help minimise road flooding. Thank you.
- Ditch behind China Corner which is partially blocked has been reported to WDC engineers who are working with Taylor Wimpy to resolve the problem. The first 20 metres of the culvert is now clear but there is another blockage.

As always, if you have any issues on any Highways matters, please report it on the WCC website

http://www.worcestershire.gov.uk/homepage/98/report_it

Also remember a photo of the Highways problem is as good as “a thousand words” so always take a photo where possible.

Honeybourne Railway Station Car Park

On 18th September I had a meeting with 4 people from Network Rail and the Deputy MD of Wychavon District Council Honeybourne Railway Station. It was agreed that Network Rail would explore a lower cost solution to connect the new car park with the platform. I have now received their latest quote of £2.5million for a bridge . This is crazy. I and the WDC is pushing for a pedestrian level crossing from the car to the platform which should cost substantially less.

County Council Divisional Fund

LAST CHANCE TO APPLY - Applications for the 2024/25 Divisional Fund are invited from local community organisations that are manned by volunteers and require a little help to buy equipment or services. To apply, please contact me on adams.pebworth@gmail.com.

The following grants have been requested, and some have already been approved ;-

1. Pebworth School – Grant for some more books
2. Honeybourne Hawks Football Club – new line marker
3. Offenham Rovers FC – Grant for new nets
4. Honeybourne Village Hall – grant requested for some new tables
5. Offenham Village Hall – Sound-proofing panels
6. Pebworth Village Hall – grant for new signage/flags
7. Littletons Tennis Club – grant towards the Pickleball Courts
8. Honeybourne News – grant for trolleys to deliver village newsletter to all houses
9. Honeybourne School – grant for help to use of the village hall for their Christmas play



POLICE NOTICE



Theft of vehicle, Honeybourne: Can you help?

Unfortunately there has been a number of vehicle thefts in Pebworth, Honeybourne, Meon View and around the area in the last month. This is very unusual as this area has had very few vehicle thefts over the last 10 years. So can everyone be especially vigilant and report anything suspicious to the Police by dialling 999 if an urgent response is required, or calling 101.

You can pass on information anonymously to the independent charity, Crimestoppers, by calling 0800 555 111 or by visiting their website: www.crimestoppers-uk.org

Thank you for your help. It is only by the police and the public working together that crime can be solved and the criminals put behind bars.

UPDATE – the police have since recovered one of the cars stolen from Pebworth and arrests have been made.

Goodbye from him...It has been a pleasure to represent Honeybourne as your County Councillor but it is time to hang up my boots!

After much thought and 12 years as a County Councillor, I have decided not to stand in the elections in May 2025. Recently I have had some health scares, and I am 64 in January, and I want to spend more time with my wife and do some more travelling.

So I have decided to step down and allow someone else to take the reins for the Littletons Division. If you are interested in standing as a County Councillor, please contact me or see

<https://www.droitwichandveshamconservatives.org.uk/be-councillor>

PS you still have me as your County Councillor until May 2025!

Your County Councillor, Alastair Adams can be contacted on adams.pebworth@gmail.com or mobile 07725 979 277 or www.alastairadams.org

PLANNING APPROVAL NOTICE

TOWN AND COUNTRY PLANNING ACT 1990

Approval - Full planning permission

Application No: W/23/02504/FUL

Parish: Honeybourne

Agents Address:

██████████
AddisonRees Planning Consultancy Ltd
Unit 12A
Top Barn Business Centre Ltd
Holt Heath
Worcester
WR6 6NH

Applicants Address:

Academy Motorsport
C/O Agent
Worcester
WR6 6NH

Part I – PARTICULARS OF APPLICATION

Statutory Start Date: 6 December 2023

Location: 96 Stratford Road, Honeybourne, Evesham, WR11 7PP

Proposal: Provision of storage containers

Part II - PARTICULARS OF DECISION

Wychavon District Council hereby give notice that in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions (if any):-

CONDITIONS AND REASONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information (including details on the proposed materials) provided on the application form and the following plans/drawings/documents –

P2023_035/01 rev A
P2023_035/02 rev A
P2023_035/03
P2023_035/04
P2023_035/05 rev A
FCL0401-01

Reason: To define the permission in accordance with Policy SWDP1 and SWDP2 of the South Worcestershire Development Plan and the National Planning Policy Framework.

3. Prior to the first use/occupation of the development hereby permitted, the details set out in the submitted Water Management Statement shall be fully implemented and remain thereafter.

Reason: To ensure that an appropriate sustainable drainage system is provided to serve the development in accordance with policy SWDP29 of the South Worcestershire Development Plan 2016.

4. All planting and seeding/turfing comprised in the submitted landscape scheme, hereby approved, shall be carried out in the first planting season following the first occupation/use of the development.

All planting shall be watered as necessary and competitive weed growth controlled to ensure successful establishment.

Any trees or plants that die, or are removed; or become seriously damaged or diseased within a period of five years from the completion of the planting, shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan 2016.

5. The Development hereby approved shall not be brought into use until the access and turning area shown in Drawing 05A swept path analysis.pdf have been provided.

These areas shall thereafter be retained and kept available for their respective approved uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway in accordance with SWDP21.

6. Prior to the installation details of any external lighting to be provided in association with the development shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include times when the external lighting will not be switched on. Only external lighting in accordance with approved details shall be provided on the application site.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and in the interests of safeguarding the rural landscape in this part in accordance with Policy SWDP22 and SWDP 25 of the South Worcestershire Development Plan, 2016.

NOTES TO APPLICANT

1. Notes from network rail

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

Going forward in order for Network Rail to spend any time reviewing any submissions, provision of any asset information, attending any further meetings, assisting with discharging any planning conditions set etc, Network

Rail will require the return of a signed BAPA (Basic Asset Protection Agreement) and relevant payment/ PO as noted in the estimate sent. Network Rail is a publicly funded entity and all outside party works, which these are, are cost recoverable as dictated to us by the ORR.

The local planning authority (LPA) are not responsible for the safe operation of the railway or our assets and the issues raised by the developer/applicant will ultimately need to be agreed by Network Rail engineering to ensure the proposed development does not interfere with the safety of the railway.

All new enquiries will need to be submitted via the Asset Protection and Optimisation - Customer Portal
Link to ASPRO ACE Portal ASPRO Network Rail Implementation (oraclecloud.com)

From there, the client can create an account and submit their enquiry. Enquiry will then be assigned to one of the Asset Protection team to progress. The assigned team member will then be in a position to review and comment on any submissions from the outside party.

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

For future reference, it is imperative developers/applicants consult neighbouring/affected statutory undertakers in advance of any construction work, to identify and mitigate potential risks to both sites including people using or working on the sites, in line with CDM 2015 and HSW 1974 legislation. Network Rail's ASPRO (Asset Protection) team's role is to support external parties in identifying risks associated with construction near the railway and mitigating these in advance of work starting. Most insurance policies include clauses relating to consultation with statutory undertakers, and external parties who do not consult appropriately in advance may find their insurance policy becomes invalid.

In addition to the above the applicant must construct and layout the proposal as below:

Please note that whilst Network Rail (NR) is submitting responses via the planning application process, it should be born in mind by the LPA/developer that the operational railway presents risks/issues that are different/unique to the risks posed by works taking place adjacent to non-railway undertaker land. Works on this site therefore must be undertaken with the supervision of NR via the ASPRO (asset protection) team to ensure that the works on site do not impact the safe operation, stability, integrity of the railway & its boundary. The LPA/developer are advised that unauthorised works adjacent to the railway boundary could impact the operation of nationally significant infrastructure & the applicant would be liable for any and all damages & costs caused by any works undertaken in this scenario. Therefore, the developer is requested to ensure that the development meets with NR requirements for works/developments adjacent to the railway boundary which include planning material considerations as well as obligations specific to the railway undertaker. The interface is via a NR BAPA (basic asset protection agreement) – the developer is advised that the works must not commence on site (even if planning permission is granted) until agreed with NR. The applicant will be liable for all costs incurred by NR in facilitating, reviewing this proposal.

Measurements to railway tracks and railway boundary

When designing proposals, the developer and council are advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway

tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones, vegetation) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary.

Obligations

Properties adjoining or in the vicinity of the railway are frequently the subject of obligations, rights, exceptions and reservations for the benefit of Network Rail's land and railway. The applicant must review the title to their property to see whether any such obligations etc exist and ensure that there is no noncompliance or breaches of them or any interference with or obstruction of Network Rail's rights and reservations. If the proposed development would not comply with or would breach any of the terms of the conveyance, the developer must revise his proposals.

Fencing

The applicant will provide at their own expense (if not already in place):

- A suitable trespass proof steel palisade fence of a minimum height of 2m adjacent to the boundary with the railway/railway land.
- The fence must be wholly constructed and maintained within the applicant's land ownership footprint.
- All foundations must be wholly constructed and maintained within the applicant's land ownership footprint without over-sailing or encroaching onto Network Rail's boundary.
- The fence is REQUIRED be set back at least 1m from the railway boundary to ensure that Network Rail can maintain and renew its boundary treatments.
- Existing Network Rail fencing, and boundary treatments, must not be damaged or removed in any way.
- Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land.
- Proposal fencing must not be placed on the boundary with the railway.
- Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- The fence should be maintained by the developer and that no responsibility is passed to Network Rail.

It would not be reasonable to require Network Rail to fund boundary works, fencing and boundary enhancements necessitated by outside party development adjacent to the railway.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail prior to implementation.

Please see links to guidance for tower crane and mobile cranes adjacent to the railway to be flagged up to the developer/applicant.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.
- All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
- Buildings, windows and structures must not over-sail Network Rail airspace/ boundary.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Rainwater goods must not discharge towards or over the railway boundary
- Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.
- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

Lighting

To ensure the ongoing safety of the operational railway the applicant's lighting design must demonstrate no overspill of light onto Network Rail land.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land both temporary and permanent, must remain open and unblocked (24/7, 365 – around the clock) both during construction works and as a permanent arrangement.

- The proposal must not encroach onto any Network Rail access road, paths or ways of access to any part of Network Rail land. This also includes emergency vehicles ability to access and exit Network Rail land.
- The applicant is reminded that each Network Rail has a specific right of way and as such any developer is requested to contact the Network Rail Property Services Team to discuss the impact of the proposal upon our access.
Email: PropertyRequestsNWC@networkrail.co.uk

Drainage proposals and Network Rail land

The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

- All surface waters and foul waters must drain away from the direction of the railway boundary.
- Soakaways for the proposal must be placed at least 30m from the railway boundary.
- Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.

- Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's land and infrastructure.
- Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
- Drainage works must not impact upon culverts, including culverts/brooks etc that drain under the railway. The applicant will not be permitted to direct surface or foul waters into culverts which run under the railway – any discharge of surface water under the railway via a culvert will require review and agreement from Network Rail who reserve the right to refuse use of any culverts.
- The developer must ensure that there is no surface or sub-surface flow of water towards the operational railway.
- Rainwater goods must not discharge in the direction of the railway or onto or over the railway boundary.
- Consideration of the impacts upon railway drainage of Astro-Turf/plastic lawn replacements, both during construction and any future inclusion of said Astro-turf by residents going forward.

NB: Soakaways can materially affect the strength of soil leading to stability issues. A large mass of water wetting the environment can soften the ground, and a build-up of water can lead to issues with the stability of Network Rail retaining walls/structures and the railway boundary. Network Rail does not accept the installation of soakaways behind any retaining structures as this significantly increases the risk of failure and subsequent risk to the travelling public.

If the developer and the council insists upon a sustainable drainage and flooding system then the issue and responsibility of flooding, water saturation and stability issues should not be passed onto Network Rail. We recognise that councils are looking to proposals that are sustainable, however, we would remind the council that flooding, drainage, surface and foul water management risk as well as stability issues should not be passed 'elsewhere', i.e. on to Network Rail land.

The drainage proposals are to be agreed with Network Rail and surface water drainage on the site should be removed by a closed sealed pipe system.

The HSE identifies railways as a Major Hazard Industry. An earthwork failure within a high-hazard area has the potential to result in a catastrophic accident with multiple fatalities or long-lasting environmental issues. It should be noted that where the actions of an adjacent landowner have caused a landslip on the railway the loss adjusters are likely to advise recovery of Network Rail costs from the 3rd party, which would include costs of remediation and recovery of costs to train operators. Many railway earthworks were constructed in the Victorian period and are susceptible to failure by water saturation. Water saturation leads to an increase in pore water pressure within the earthwork material. Please also note that railways, and former railway land adjacent to it, is considered as contaminated land due to historic use of railways, which can affect the suitability of infiltration drainage.

Excavation and Earthworks and Network Rail land:

The applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree the following:

- Alterations to ground levels
- De-watering works
- Ground stabilisation works
- Works to retaining walls

- Construction and temporary works
- Maintenance of retaining walls
- Ground investigation works must not be undertaken unless agreed with Network Rail.
- Confirmation of retaining wall works (either Network Rail and/or the applicant). Prior to the commencement of works on site the applicant must confirm with Network Rail if there are any retaining walls/structures and the applicant must interface with Network Rail to ensure that no retaining structures are impacted on a permanent basis by their proposal.
- Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.
- For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review. Network Rail would need to re view and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail. The council are advised that the impact of outside party excavation and earthworks can be different depending on the geography and soil in the area. The council and developer are also advised that support zones for railway infrastructure may extend beyond the railway boundary and into the proposal area. Therefore, consultation with Network Rail is requested. Any right of support must be maintained by the developer.

3m Gap

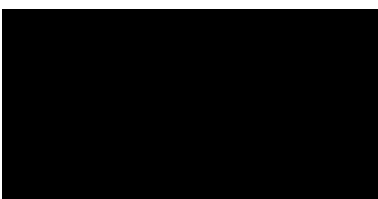
Network Rail REQUIRES that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land, and close to the railway boundary potentially impacting support zones or lineside cabling. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint including all foundation works. Network Rail requires a minimum 3m easement between structures on site and the railway boundary to ensure that we can maintain and renew our boundary treatments. No part of the structure should over-sail the railway boundary or discharge rainwater goods onto or toward the railway boundary.

2. Positive and Proactive Statement. In dealing with this application, the Council has worked with the applicant in the following ways:

- seeking further information following receipt of the application;
- seeking amendments to the proposed development following receipt of the application;
- considering the imposition of conditions and or the completion of a s.106 legal agreement.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

Signed:



Head of Development Management

Date: 21 November 2024

Note: - This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. **In particular this permission is not a Building Regulation Approval. Advice should be sought from the South Worcestershire Building Control on 01684 862223 to ascertain if approval is required under the Building Regulations for the proposed development. Failure to make a Building Regulations application, if required, prior to work commencing on site is an offence under Section 35 of the Building Act 1984 and may result in the authority taking further action.**