

**MINUTES OF THE MEETING OF KEMPSEY PARISH COUNCIL HELD ON
MONDAY 14th DECEMBER, 2009 AT 7.30 p.m. AT KEMPSEY COMMUNITY
CENTRE**

Present :- Mr. T. Ward, in the Chair

Ms. M. Baker; Mrs. K. Biddle; Mr. N. Brookes; Mr. K. Blackwell; Mrs. P. Gerrard;
Mrs. A. Hart; Mr. D. Harrison; Mrs. J. Jones; Mr. M. Legg; Mr. J. Michael and
Mrs. H. Willcox.

Also present :- Mr. M. Biddle and Mrs. M. Walters, District Councillors.

Apologies for absence were received from Mrs. C. Campbell.

6737 DECLARATION OF INTERESTS

As someone holding registered grazing rights in respect of all commonable areas other than Kerswell Green Common, Mr. Harrison declared personal, possibly prejudicial interests in respect of the Commons and Hams Committee Report at Agenda Item 14 and also in respect of Agenda Item 11(b) relating to correspondence from The Planning Inspectorate.

Mr. Ward declared a personal interest in respect of Agenda Item 13(a) relating to planning application MH 1299/09 – Garth Cottage, Post Office Lane.

Mrs. Gerrard declared a personal interest in respect of Agenda Item 13(a) relating to planning application MH 1299/09 – Garth Cottage, Post Office Lane.

Mr. Michael declared a personal interest in respect of Agenda Item 13 (a) relating to planning application MH 1299/09 – Garth Cottage, Post Office Lane.

6738 OPEN FORUM

It was proposed by Mrs. Jones, seconded by Mrs. Hart and resolved that Standing Orders be suspended for the Open Forum. There were no questions from the two parishioners who were present so the Chairman re-imposed Standing Orders.

6739 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting of the Parish Council held on Monday, 9th November, 2009, had been previously circulated to the members. At Ms. Baker's request, the word "complained" shown at the start of the second paragraph of Minute No. 6731 was amended to "expressed concerns" On the proposal of Mrs. Hart, seconded by Mrs. Gerrard the Minutes were confirmed by the Parish Council and signed by the Chairman.

6740 MINUTES FROM THE RECREATION COMMITTEE MEETING

The Minutes of the Recreation Committee held on Monday, 7th December, 2009 had been previously circulated to the members. On the proposal of Mr. Legg, seconded by Mrs. Gerrard they were confirmed and signed by the Chairman.

6741 NOTES FROM THE PARISH COUNCIL WORKING PARTY

The Notes from the Parish Council Working Party held on Monday, 7th December, 2009 had been previously circulated to the members.

6742 PREVIOUS MINUTES – RECOMMENDATIONS AND UP-DATES

(a) Parish Council

There were none.

(b) Recreation Committee

The first recommendation from the Committee was that the following new times should be made available for public use of the third tennis court and that these times should be incorporated into the Tennis Club lease :-

Mondays – 9.00 a.m. to 6.00 p.m.; Tuesdays – 1.00 p.m. to 9.00 p.m.; Wednesdays – 9.00 a.m. to 6.00 p.m.; Thursdays – 4.00 p.m. to 9.30 p.m. (to include use by the Youth Club); Fridays – 9.00 a.m. to 9.00 p.m.; Saturdays – 9.00 a.m. to 12 noon and 6.00 p.m. to 9.00 p.m.; Sundays – 10.00 a.m. to 12 noon and 6.00 p.m. to 9.00 p.m.

Mr. Harrison asked whether the Tennis Club had been consulted about the proposed new hours for public use? The Chairman explained that a meeting would be held once the Parish Council had agreed in principal with the recommendation from the Recreation Committee. As a basis for discussion with the Tennis Club, it was proposed by Mr. Brookes and seconded by Mrs. Gerrard that this recommendation should be accepted. On being put to the vote the recommendation was carried.

The second recommendation was that in order to be able to offer netball and basketball facilities, the third court must have basketball and netball markings, as was required by the terms of the lease. This recommendation was proposed by Ms Baker, seconded by Mrs. Jones and, on being put to the vote was carried..

The third recommendation from the Committee was that the amendment to the existing lease to include the new sitting area should only be signed once the Tennis Club had agreed the new times for public use of court three and when netball and basketball markings had been marked onto court three. The Parish Council agreed that it was also essential that any ground included with the new sitting area must remain open and un-encumbered by obstructions such as fencing. This recommendation was proposed by Mrs. Willcox, seconded by Mrs. Gerrard and, on being put to the vote, the recommendation was carried.

(c) Notes from the Parish Council Working Party – Power of Well Being

The recommendation from the Working Party was that the adoption of The Power of Well Being should be reviewed again in 6 months time when more facts and information may be to hand. On the proposal of Mr. Harrison, seconded by Mr. Blackwell this recommendation was carried.

6743 COUNTY COUNCIL REPORT ON LOCAL ISSUES

In Mr. Bullock's absence there was no report

6744 DISTRICT COUNCIL REPORT

Mrs. Walters reported that she had taken up the matter of the litter bins in Kempsey being emptied twice a week. She had not yet had a definite response.

Mr. Biddle confirmed that he had spoken to the Planning Department about Section 106 Agreements in respect of Kempsey planning applications but was still waiting for answers. The Clerk pointed out that the Parish Council had not been consulted on these matters despite the Planning Department's statement to Mr. Biddle to the contrary.

Mr. Biddle then referred to the SWJCS meeting at the Parish Hall in January about potential development land within the village of Kempsey.

6745 CORRESPONDENCE

All correspondence, both for report and for information had been made available for inspection by Parish Council Members between 7.00 p.m. and 7.30 p.m.

(a) WCC – Waste Core Strategy – Emerging Preferred Options Consultation

The document was passed to the Chairman.

(b) Planning Inspectorate – Commons Act, 2006 – Kempsey Common

Mr. Harrison had previously declared an interest in this matter and left the room. The Parish Council noted the contents of the letter.

(c) WCC – Public Rights of Way in Kempsey

The Clerk was asked to write to the County Council and point out that the footpaths notice board was not their responsibility and to ask when the County Council had transferred the ownership of their notice board to the Parish Council?

(d) MHDC – Kempsey PACT – Request for CCTV Cameras

The Clerk was asked to write back to the District Council's Chief Executive enclosing a copy of his letter dated 2nd November and ask when a response would be received to the Parish Council's letter?

(e) WCC – Adult Learning Services

The Parish Council agreed that this information should be shown on the Parish Website, in the Parish Magazine Extract and on the notice boards.

(f) GAB Robins UK Ltd. – Impact Damage to Community Centre

The Clerk reported that a cheque in settlement of the contractors' bills had now been received.

(g) Stoulton P.C. – Vehicle Activated Speed Sign – Shared Ownership

This matter was referred to the Environment Committee for discussion.

(i) Lloyds TSB – Parish Council Bank Account

The Parish Council noted that the bank charges had now been reimbursed.

(j) SWJCS – Information Gathering Events – Spring 2010

The Parish Council agreed that parishioners should be advised of this important meeting. The Chairman agreed to draft a notice for approval and comment by the Parish Council Members prior to its circulation to each household.

(k) West Midlands Planning Aid Service - Newsletter

This document was passed to the Chairman.

(l) Macmillan Cancer Support – Application for Grant Aid

It was noted that there was no allowance within the Budget for grant applications such as this one.

6746 ENVIRONMENT COMMITTEE

(a) Baynhall Bus Shelter – Estimates for Repairs

The Chairman reported that two estimates had been received for this work and it was now obvious that any repairs would be very expensive. He invited the Members to consider whether the cost of these repairs could be justified bearing in that so few people used the bus shelter? Mr. Blackwell reported that he had asked the company who had carried out the repairs to the Pixham Ferry Lane and The Crown bus shelters to supply an estimate to remove the tiled roof on the Baynhall shelter and replace it with a steel roof with no guttering. The Parish Council resolved that once the estimate for this cheaper alternative had been received, the matter should be delegated to the Environment Committee for consideration.

(b) Emptying of Litter Bins/Dog Waste

The Parish Council resolved to send a flier to each household acquainting them with the problems being experienced. The two District Councillors were asked to press the District Council for an urgent response to their request for the litter bins to be emptied twice weekly.

6747 PLANNING REPORT

(a) Comments made to Malvern Hills District Council

MH 1525/09 – Kempsey Community Centre – Change of use of land for the erection of a temporary building for use as a Sub Post Office (Full) – No comment as interest

MH 1413/09 – 2 The Woodlands, 28 Main Road – Erection of conservatory (Hou.) – No objections

(b) For report

MH 1299/09 - Garth Cottage, Post Office Lane

The Chairman, Mr. Ward, Mr. Michael and Mrs. Gerrard had previously declared interests in this matter and left the room. The Chair was then taken by Mr. Blackwell, the Environment Committee Chairman. Whilst the Parish Council had no objections to this application, there were concerns about the limited amount of on site parking which would be available. The roof and the sides of the cottage to be demolished were of an asbestos construction and an appropriate specialist contractor must be employed for this work.

MH 1544/09 – Astons Coaches, Bath Road, Broomhall – Whilst the Parish Council had no objections to this application, there were concerns that the building was totally out of keeping as a result of being constructed in a different fabric to all the other buildings on the site. The Parish Council requested that a condition should be included in any planning permission which limited the nature of any business use of the building to coach related purposes

6748 COMMONS AND HAMS COMMITTEE REPORT

Mr. Harrison had previously declared a personal and possibly prejudicial interest in this report. He left the room whilst it was discussed.

(a) Posting Works at Kempsey Common

The Committee Chairman reminded those present that two estimates had previously been submitted for this work but, because of the manner in which they had been presented, the estimates were difficult to interpret and could have been misconstrued. As such, the Parish Council had resolved that this matter should be deferred to their December Meeting. He had now been able to examine the two estimates which were very close and only differed by as little as £10. He was suggesting that the slightly higher estimate should be accepted as it fulfilled the specification for posts of 2m. lengths which were to be driven into the ground whilst the second estimate was for 1.8m. posts. After a short discussion it was proposed by Ms Baker, seconded by Mr. Blackwell and unanimously carried that the estimated submitted by Mr. R. Ridley in the sum of £1,200 should be accepted.

(b) Ditching Works at Normoor Common

The Committee Chairman reported that there were sufficient funds within the Commons and Hams Committee Budget to allow for remedial ditching works at Normoor Common to be carried out in the current financial year. The Parish Council asked the Clerk to obtain estimates for this work.

(c) Gorse Clearance on Kempsey Common

The Committee Chairman reported that the Clerk have been advised by the contractor that the new rate for gorse clearance works on Kempsey Common and the Back Common would be £50.00 per hour plus a £100 charge for collecting and returning the heavy duty topper to Shropshire. He pointed out that there was a sum allocated in the Commons and Hams Committee Budget for this work and suggested that the extra cost could be matched by the contractor working for slightly less hours. The Parish Council resolved to accept these new charges.

(d) Ashmoor Common

The Committee Chairman reported that a very helpful map had been supplied by Croome Estate which showed their boundary with Ashmoor Common.

6749 RECREATION COMMITTEE REPORT

The Committee Co-Chairman reported that following the recent works to the tennis courts, the fence on the right hand side of the Napleton Lane entrance had not been re-instated and the hard track was still covered in mud. The Parish Council resolved that the Tennis Club must ask the contractors to fulfill their obligations by re-instating the fence to its original condition and removing the mud from the track. The Committee Co-Chairman then reported that the proposed scheme for new play equipment in Kempsey was now the preferred option for the Playbuilder Grant. The Parish Council resolved that their thanks should be recorded to Mrs. Gerrard and Mrs. Campbell for their efforts with this scheme.

6750 COMMUNITY CENTRE COMMITTEE REPORT

The Committee Chairman reported that an estimate in the sum of £90 had been received from Wild Contracts to cut back the large bush under the front window of the Community Centre and trim back the brambles and branches overhanging the notice board. The Parish Council resolved to accept this estimate. He then reported that it had become necessary to purchase a new lock for the side gate, that problems with a wall in the Nursery were being looked into and that a roofing contractor would be making an inspection of the roof.

6751 CHAIRMAN'S MONTHLY UPDATE

The Chairman reported that there had been ongoing complaints from parishioners as a result of punctures to car and bicycle tyres following the cutting of field hedges adjacent to the highway. The Clerk was asked to draw this matter to the attention of Mr. Bullock.

6752 BUDGETS FOR 2010/2011

This matter had been deferred from the November Parish Council Meeting following concerns that the Finance and General Purposes Committee was not legally constituted. The Chairman pointed out that this was not the case and, consequently it had not been necessary to hold a further meeting of this Committee.

The Chairman re-iterated his comments from the previous Parish Council Meeting that the

overall objective of the Finance and General Purposes Committee had been to aim for a zero percent increase in the Precept as difficult times lay from which parishioners would not be immune. After a very brief discussion it was proposed by Mr. Michael and seconded by Mr. Blackwell that the Precept figure for 2010/2011 should be set at £69,366 in line with the recommendation from the Finance and General Purposes Committee. On being put to the vote this recommendation was carried.

The Chairman reported that the lease on the old photocopier expired at the end of November. As such, an urgent delegated decision had been made in line with the recommendation from the Finance and General Purposes that the existing copier should be replaced with a machine which would cost £95.07 per quarter plus VAT with a 39 months rental agreement and the option to purchase title to the equipment at the end of the lease for £50.00 plus VAT. The Parish Council approved this delegated decision.

6753 RECEIPTS AND PAYMENTS/RECONCILIATION OF BALANCES TO 30/11/09

The receipts and payments/bank reconciliation to 30th November, 2009 had been previously circulated to the members. Copies of these documents are attached to the Signed Minutes.

6754 CONFIRMATION OF ACTION

The Parish Council ratified payment of the following urgent accounts which had been made under delegated powers :-

Active Fire (Worcester) Ltd. – Annual fire inspection - £61.81 (inc. £8.06 VAT)

R. Clarke – Annual cleaning of War Memorial - £20.00

Avalanche Signs – Signs for Children’s Play Area - £60.00

New Farm Grounds Maintenance – Playing Field Mowing - £114.10 (inc. £14.88 VAT)

Staff salaries for November as shown on the list circulated to Members and annexed to the Signed Minutes

6755 ACCOUNTS FOR PAYMENT

On the proposal of Mrs. Hart, seconded by Mrs. Jones the Parish Council resolved to authorise payment of the following accounts :-

Mrs. A.P. Halford - Petty cash for November - £24.96

High Green Farming – Commons Topping - £869.69 (inc. £113.44 VAT)

P. Kitching – Repairs to vehicular damage at Community Centre - £728.52

D. Walters – Decoration of damaged wall at Community Centre - £168.00

Ikon Office Solutions plc. – Copier Meterage - £78.37 (inc. £10.22 VAT)

Mrs. S. Cordell – Community Centre cleaning - £150.00

6756 CONFIDENTIAL SESSION

The Parish Council resolved that in view of the nature of the business about to be transacted the public and Press be asked to withdraw.

THERE BEING NO FURTHER BUSINESS, THE CHAIRMAN DECLARED THE MEETING CLOSED AT 9.40 p.m.

Signed at the next ensuing meeting of
Kempsey Parish Council

Chairman of such next ensuing meeting

6757 CONFIDENTIAL SESSION

The Chairman reported that the National Association of Local Councils was recommending that the salary of full and part-time Clerks should be increased in accordance with the recently agreed national salary scales with effect from 1st April, 2009. As such, this would mean an increase of £207.73 per annum/£17.31 per month for the Clerk. On the proposal of Mrs. Gerrard, seconded by Mr. Harrison the Parish Council resolved that the salary of the Clerk should be increased in line with this recommendation.