

**MINUTES OF THE MEETING OF KEMPSEY PARISH COUNCIL HELD ON  
MONDAY,9th MARCH, 2009 AT 7.30 p.m. AT KEMPSEY COMMUNITY CENTRE**

**Present** :- Mr. D. Harrison, in the Chair

Mr. N. Atkins; Ms. M. Baker; Mr. K. Blackwell; Mr. N. Brookes; Mrs. C. Campbell;  
Mrs. P. Gerrard; Mrs. A. Hart; Mrs. J. Jones; Mr. J. Michael and Mr. T. Ward.

**Also in Attendance** :- Mr. R. Bullock, County Councillor and Mr. M. Biddle, District Councillor.

**Apologies for absence** were received from Mr. M. Legg who was on holiday and from Mrs. K. Biddle who was ill. The Parish Council accepted these apologies. Apologies were also received from Mrs. M. Walters, District Councillor.

**6540 DECLARATION OF INTERESTS**

Mr. Harrison declared a personal and possible prejudicial interest in respect of the Commons and Hams Committee Report at Agenda Item 13 for all matters relating to Kempsey, Stoenhall, Normoor and Ashmoor Commons in respect of which he held registered grazing rights. He also declared a personal interest in respect of Agenda Item 21 relating to an account for payment to his son.

Mrs. Campbell declared a personal interest in respect of Agenda Item 17 relating to Flooding in Kempsey. She also declared a personal interest in respect of Agenda Items 10(i) and 10(j) relating to correspondence from Kempsey Flood Action Group.

**6541 OPEN FORUM**

It was proposed by Mrs. Jones, seconded by Mrs. Gerrard and resolved that Standing Orders be suspended for the Open Forum. Notes from this part of the meeting are annexed to the Minutes. At the conclusion of the Open Forum the Chairman re-imposed Standing Orders.

**6542 PREVIOUS MINUTES**

The Minutes of the previous meeting of the Parish Council held on Monday, 9<sup>th</sup> February, 2009, having been previously circulated to the members, were confirmed and signed by the Chairman.

**6543 MINUTES OF THE RECREATION COMMITTEE**

The Minutes of the meeting of Recreation Committee held on Monday, 2<sup>nd</sup> March, 2009, having been previously circulated to the members, were confirmed and signed by the Chairman.

**6544 PREVIOUS MINUTES – RECOMMENDATIONS AND UP-DATES**

**Recreation Committee**

On the proposal of Ms. Baker and seconded by Mrs. Gerrard, the first recommendation from the Recreation Committee that un-spent sums totaling £3,325 should be ring fenced and be carried forward to the 2010/2011 financial year to be added to the allocated sums in that Budget for the provision of play equipment, safety surfaces and fencing at both the Playing Field and at any other agreed sites was unanimously carried.

On the proposal of Mrs. Jones and seconded by Mrs. Campbell, the second recommendation from the Committee that an un-spent sum of £2,500 which had been included in the Budget for Pavilion maintenance during the current financial year should be ring fenced and be carried forward to the 2010/2011 financial year for the same purpose was also unanimously carried.

**6545 COUNTY COUNCIL REPORT ON LOCAL ISSUES**

Mr. Bullock reported that he had received a letter about a parishioner falling whilst walking in Old Road North. As a result, a pothole had immediately been put right by the County Council. A reply had been sent to the letter writer but the County Council were regarding the matter as serious. Mr. Bullock suggested that in future the Parish Lengthsman could be used to report defective pavements and potholes in roads. Mr. Bullock then reported that the work at the triangle at Kerswell Green would be included in the next financial year and that

double yellow lines would be installed in Christina Close.

In questions to Mr. Bullock, Mr. Brookes drew his attention to a pothole in the A.38 outside the bungalows at the northern end of the village, Mr. Michael asked when the re-surfacing work in Old Road South would be carried out and the Chairman asked whether it would be possible to have the footpaths between the 30 m.p.h. signs and Broomhall Lane sided out?

#### **6546 DISTRICT COUNCIL REPORT**

Mr. Biddle reported that bus passes which were operative all day within the Malvern Hills District would shortly only be valid on buses within Worcester City after 9.30 a.m. each morning. With effect from 1<sup>st</sup> April, 2008, the District Council would be introducing a new scheme to deal with green waste by providing wheely bins which would cost £60 per annum to empty and which would be emptied twice monthly. Mr. Biddle then outlined the new Government circular in respect of planning changes which would make Local Planning Authorities consider the impact of flooding. In questions to Mr. Biddle, Mr. Brookes asked if it would be possible to have the large amounts of rubbish collected from Holdings Lane and from the Lower Ham? The Chairman pointed out that he had already reported problem areas for litter to the District Council within the past week.

#### **6547 SUSPENSION OF STANDING ORDERS**

It was proposed by the Chairman, seconded by Ms Baker and resolved that Standing Orders be suspended to allow W.P.C. Ransome-Williams to address the Parish Council. She introduced the new C.S.O. for Kempsey, Lucy Rowbotham. W.P.C. Ransome-Williams then asked for assistance from the Parish Council in distributing low energy light bulbs to vulnerable people in the hope of preventing night-time burglaries. She confirmed that double yellow lines would be installed in Christina Close, but not for about 18 months and that it was her intention to try to visit the School more frequently to sort out the parking problems. At this point the Chairman re-imposed Standing Orders.

#### **6548 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) MHDC – Tree Works at The Rocky**

The Parish Council noted that the District Council had 6 weeks in which to consider the application for tree works at The Rocky.

##### **(e) MHDC – Government Estimate of Rough Sleepers**

The Parish Council were not aware of any rough sleepers.

##### **(g) Wild Contracts – Estimate for Tree Works at The Rocky**

The Parish Council noted that the company would have a second chance to submit an estimate for this work when the new specification was agreed by the District Council's Tree Officer. The Clerk, in conjunction with the Committee Chairman was asked to write a suitable response to their email.

##### **(i) FLAG – Use of Parish Council Notice Boards for FLAG Notices**

Mrs. Campbell had previously declared an interest in this matter and the next item of correspondence at (j). As the Parish Council representative on the FLAG Committee, she remained in the room but took no part in the discussions. On the proposal of Mr. Brookes, seconded by Mr. Michael the Parish Council resolved that in this particular instance the Group should be allowed to display up to three A4 notices on each notice board. Before being displayed, the Clerk was asked to read through and ratify the contents of each notice.

##### **(j) FLAG – Request for Parish Council Support and Financial Assistance**

The Parish Council agreed that whilst they were able to give their full support to the Kempsey Flood Alleviation Scheme, financial support for the FLAG Group was very difficult. The Parish Council Budgets had already been set and the Precept agreed for the 2009/2010 financial year. As such, if it was the wish of the Parish Council to give financial support through the Parish Precept, the earliest possible opportunity to provide any funding would be in the Budget for the financial year commencing in April, 2011. After a short

discussion the Parish Council agreed to discuss this matter again at their next meeting in April.

(k) Kempsey Cricket Club – Use of Pavilion/Playing Field for Fun Day

The Parish Council agreed to this request subject to the usual conditions that there must be no dogs or horses allowed onto the Playing Field and that cars must not drive on the playing surfaces.

**6549 ENVIRONMENT COMMITTEE**

(a) Tree Works at The Rocky

The Committee Chairman reported that a new specification had been prepared and that estimates would be sought once planning permission had been received from the District Council. In order to meet the end of March deadline for completion of this work, the Parish Council delegated authority to the Committee Chairman, the Clerk and one other member to accept the lowest estimate and to authorise the work to commence.

(b) Litter pickers

The Committee Chairman reported that the District Council had provided 5 litter pickers and two rolls of black bin bags. The Parish Council agreed that those litter picking should be handed a notice stating that they were doing so at their own risk and that they must not attempt to remove needles or sharp objects for which specified equipment had to be used.

(c) Litter Bins

The Committee Chairman reported that provision had been made in the next financial year for the purchase of additional litter bins. She had become aware that Glasdon UK, from whom the Parish Council purchased their bins, were giving a special reduction in the price of about £23 per bin which would last until the end of March. As such, she sought authority to place an order for four additional bins during the current financial year with delivery and the invoice being sent in April. On the proposal of Ms Baker, seconded by Mr. Brookes the Parish Council unanimously agreed to this course of action.

(d) Flyer on Notice Boards re Environmental Matters

The Parish Council agreed to the flyer which had been prepared by the Committee Chairman being placed on all the notice boards.

(e) Bus Shelter at Pixham Ferry Lane – Renovate or Replace

The Committee Chairman reported that a new basic bus shelter without seats would cost about £3,000 plus installation costs, which was more than the initial estimate which had been received to renovate the existing bus shelter. After a short discussion the Parish Council resolved to renovate the existing bus shelter during the 2009/2010 financial year and the Clerk was asked to obtain estimates for this work.

**6550 PLANNING REPORT**

(a) For Report :-

MH 135/09 – 4 Brookside

The Parish Council had no objections but had concerns about whether the main sewer from Brookside into Old Road North, which only had a 6” outlet pipe, would be big enough to cope with the 4 proposed new properties. As such, account needed to be taken of where this sewer pipe was located as it could be underneath the site of the proposed new bungalows.

The surface of the driveway to the bungalows was shown as being of tarmac. This slightly sloping driveway needed to have a pervious surface in order to prevent rain water running into the grounds of The Firs, the neighbouring property.

In view of the infrequent bus service between Kempsey and Worcester resulting in the need to rely on private transport, the Parish Council questioned whether there was sufficient on-site parking? Only six parking spaces were shown for the occupants of the bungalows, their visitors and visiting tradesmen.

MH 196/09 – Land at Old Woodhall Farm, Fox Lane, Green Street

The Parish Council had no objections to this application. The planning applicant’s statement was noted that “Mr. R. Palmer is applying for 10 stables to effectively replace the stabling

that is already in place but which will be demolished if planning permission is approved for the conversion of the brick built barn at Old Woodhall Farm.” As such, the Parish Council felt that a planning decision should not be made on this particular application until a decision had been reached on MH 074/09 to convert the barn which was currently being used for stabling to residential use.

The Parish Council noted that the intended use of the 10 new stables was to accommodate the family horses kept for recreational purposes. As such, if planning permission was granted, they asked that a condition should be attached restricting the use of the 10 new stables to private use and not commercial use.

The Parish Council questioned where stable manure from 10 stables would be stored as this was not shown on the plans.?

(b) Comments made to MHDC under Delegated Powers

MH 014/09 – Grianne, Kerswell Green – Replacement 1.5 storey side extension (Full) – No objections

MH 103/09 – Brookfield, Broomhall – Two storey side extension to form kitchen/bedroom and en-suit over and attached garage (Full) – No objections but some concerns

MH 094/09 – 7 Adelaide Close – Single storey attached garage extension and conversion of existing garage to include study, WC and utility room (Full) – No objections

MH 074/09 – Old Woodhall Farm, Fox lane, Green Street – Conversion of barn to residential dwelling (Full) – No objections

MH 196/09 – Croftway, Green Street – Replacement bungalow (Full) – No objections

**6551 COMMONS AND HAMS COMMITTEE REPORT**

Mr. Harrison, the Parish Council Chairman had previously declared an interest in this item and left the room. The Chair was then taken by Mr. Ward, the Parish Council Vice-Chairman.

(a) Site Meeting at Kempsey Common

The Committee Chairman reported a site meeting would be held on 23<sup>rd</sup> March with residents at Kempsey Common about the Parish Council’s proposal to install posts to prevent vehicular access on the grass areas in the vicinity of The Gurkha Knight. This site meeting would be followed by a formal meeting of the Committee at the Community Centre.

(b) Ditch at Normoor Common

The Committee Chairman reported that a site inspection had confirmed that the hard roadway which had been installed across Normoor Common by Teal Turf blocked the roadside ditch resulting in the need for a culvert to be installed. This matter would also be discussed at the Committee Meeting.

(c) Grazing rights on Kempsey Common

The Committee Chairman reported that it had been drawn to the Parish Council’s attention that ponies had been turned out onto Kempsey Common by a parishioner who property did not appear to have any registered common rights. As such, a letter had been sent to this person pointing out this fact and asking whose grazing rights they were exercising?

(d) The Farmers Arms Caravan Site

The Committee Chairman reported that efforts were being made to try to establish the situation about The Farmers Arms Caravan Site and the legality of the site licence. It was necessary to have this information prior to any decision being made by the Parish Council to install posts in the vicinity of The Gurkha Knight as an access may have to be left to the caravan site.

(e) Ashmoor Common

The Committee Chairman reported that the old Agreement with Natural England had now run out and he was therefore completing application forms to get new grants.

At this point the Parish Council Chairman returned to the meeting and took the Chair.

(f) Ditching Works at Kerswell Green Common

The Committee Chairman reported that there had been a lot of email correspondence

between the Parish Council Chairman and others about proposed ditching works at Kerswell Green Common. However, as the landowner, it was necessary for the Parish Council to consider what needed to be done, and when. They also needed to be mindful of their previous precedent set that spoil from ditching works on Kempsey Common was to be removed from common land. Croome Estate had indicated that they wished to have the spoil from their ditch spread on common land. On the proposal of Mr. Michael, seconded by Mrs. Jones the Parish Council resolved that in this particular instance they would permit the spoil from the ditching works to be deposited on common land adjacent to the ditch provided that it was spread out and did not form mounds. They also resolved that the works should be carried out after 1<sup>st</sup> May on a date to be agreed with the Parish Council, this being subject to the ground conditions being suitable and subject to any damage being caused to the surface of the common being put right by Croome Estate. Permission was also given to cut the field hedges from the common side within the time limits set by DeFRA for cutting agricultural hedges. The Clerk was asked to communicate this to Croome Estate and also advise them of the location of the septic tank adjacent to the ditch.

#### **6552 RECREATION COMMITTEE REPORT**

##### **(a) Trees overhanging The Playing Field - Messrs. Jones and Dillingham**

The Clerk was asked to inform Mr. Dillingham that the Parish Council did not cut his hedge or authorise this work. She was asked to point out to Mr. Jones that the Parish Council were not responsible for the matters which he had drawn to their attention and to refer him to the County Council, the Police and the District Council who were responsible for the problems he had raised. Members of the Recreation Committee were asked to inspect the hedge which had been cut back and the Clerk was asked to include this matter on the Agenda for the next meeting.

##### **(b) Report by the Joint Committee Chairmen**

Mrs. Campbell reported that she and her joint Chairman would be carrying out a survey of potential sites for inclusion in the Play Trail and would also be attending a Workshop organised by Wychavon District Council to discuss funding for play schemes.

#### **6553 COMMUNITY CENTRE COMMITTEE REPORT**

##### **(a) Royal Mail – use of Brick Building on Rear Car park**

The Committee Chairman reported on the frustration being caused by Royal Mail not responding to phone calls about their continued use of the brick store at the rear of the car park.

##### **(b) Community Centre Roof**

The Committee Chairman reported that as a result of a leak in the roof over the Baby Unit, Messrs. Sneddens had made an inspection of the roof. They had identified the problem and would be submitting an estimate to make the necessary repairs.

#### **6554 HOUSING NEEDS SURVEY**

The Chairman reported that a meeting would be held on Tuesday, 17<sup>th</sup> March with Mr. Nigel Potter to discuss the survey forms etc.

#### **6555 FLOODING IN KEMPSEY**

Mrs. Campbell had previously declared an interest in this matter. As the Parish Council Representative on FLAG, she reported that a fundraising meeting had been held and that a meeting would be held on Wednesday, 11<sup>th</sup> March at 7.30 p.m. at which representatives from the Environment Agency would be present.

The Chairman reported that he had still not had any response back from either the County Council or the District Council about the emails he had sent to them about flooding. Mr. Bullock, the County Councillor, queried what these outstanding emails related to? The Chairman said that they related to meetings which he had had with Mr. Jon Fraser and Mr. John Wallace from the County Council. Mr. Bullock expressed his extreme annoyance that the Parish Council had arranged meetings with County Council Officers within the area which he represented, without his knowledge and without him being invited to attend. Mr.

Biddle, the District Councillor, said that he took the same attitude as Mr. Bullock in relation to meetings which had been arranged by the Parish Council with District Council Officers.

**6556 EMERGENCY CONTRACTORS FOR COMMUNITY CENTRE**

The Committee Chairman felt that it would be appropriate to have at least two named contractors for each of the various trades on the emergency contacts list. After a short discussion, the Clerk was asked to include an item in the Parish Magazine asking local tradesmen if they wished to be included on the current list, subject to them having the appropriate current insurance cover, which would need to be inspected by the Parish Council.

**6557 RECEIPTS & PAYMENTS/RECONCILIATION OF BALANCES TO 28/2/09**

The receipts and payments/bank reconciliation to 28th February, 2009 had been previously circulated to the members. Copies of these documents are attached to the Signed Minutes.

**6558 CONFIRMATION OF ACTION**

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

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

**6559 ACCOUNTS FOR PAYMENT**

Mr. Harrison, the Parish Council Chairman had previously declared an interest in the item relating to the payment to his son of £135.00 for the installation of time switches at the Community Centre. He left the room for this particular item when the Chair was taken by Mr. Ward, the Vice-Chairman.

The Parish Council resolved to authorise payment of the above items and of the following items :-

Mrs. S. Cordell – Cleaning – 26/1/09 to 16/2/09 - £180.00

Mrs. A.P. Halford - Petty Cash for February - £20.75

Kempsey Sports Association – Annual Grant - £1,500

British Gas – Community Centre - £1,260.46 (inc. £229.09 VAT)

Colliers Landscaping Services – Tree Works at The Rocky - £80.00

**6560 CONFIDENTIAL SESSION**

The Parish Council resolved that in view of the nature of the business about to be transacted, that the public and Press should be excluded

**THERE BEING NO FURTHER BUSINESS, THE CHAIRMAN DECLARED THE MEETING CLOSED AT 9.37 p.m.**

Signed at the next ensuing meeting of  
Kempsey Parish Council

Chairman of such next ensuing meeting

**6561 STAFF RELATED MATTER**

**(a) Clerk – Flexible Retirement**

At their previous meeting, the Parish Council had unanimously resolved that the Clerk should be allowed to continue in post beyond her 65<sup>th</sup> birthday.

The Clerk reported that she had contacted the County Council about how this would impact on her Local Government pension and had been advised that in order to work beyond her 65<sup>th</sup> birthday, she would need to take Flexible Retirement, where one of the criteria would need to be a reduction in her working hours. Although she was currently working 22 hours per week, she had been advised that a reduction in her hours to 21 hours per week would meet this criteria.

As such, the Parish Council resolved that with effect from 1<sup>st</sup> April, 2009 the Clerk's working hours should be reduced to 21 per week with the appropriate reduction in her salary.

**9<sup>TH</sup> MARCH, 2009 PARISH COUNCIL MEETING**

**OPEN FORUM**

**MRS. JOY CLEE FROM CLEEVE MEWS, BROOKEND LANE**

Referred to the flier which had recently been delivered to her home on behalf of the FLAG Group. She felt that in order for the Kempsey Flood Alleviation Scheme to carry weight, an accurate case needed to be presented to the Environment Agency by the Flood Group. Her concern was that the front page of their flier showed flooding in the centre of the village as a result of Hatfield Brook flooding. She pointed out that the purpose of the Kempsey Flood Alleviation Scheme, which would involve a bund being constructed near to the Churchyard, was to prevent flooding from the River Severn. As such, she felt that the Parish Council needed to consider the number of properties which were affected by flooding from the River and begged them to carefully consider how much financial support they gave to something which was not perfectly accurate.

**PARISH COUNCILLOR MR. N. BROOKES** complained about the mud in Pixham Ferry Lane which was 18” deep and making the road almost impassable.