



**MINUTES OF THE PARISH COUNCIL MEETING HELD ON
MONDAY 9th NOVEMBER 2015
AT 7.30 PM. AT KEMPSEY COMMUNITY CENTRE**

PRESENT: - Cllr Geens (Chairman), Cllr Waller, Cllr Bevan, Cllr Blackwell, Cllr Frazer-Cann, Cllr Hodgkin, Cllr Hanmer, Cllr Michael, Cllr Smith, Cllr Bannister, Cllr Pugh, Cllr Patrick and Cllr Gerrard

IN ATTENDANCE: -

District Councillors Harrison & Michael plus 5 members of the public.

1. Apologies: County Councillor Sutton (Personal) – received
2. Declaration of Interests:
 1. Register of Interests: Councillors' were reminded of the need to update their register of interests.
 2. Disclosable Pecuniary Interests (DPI) – None
 3. Other Disclosable Interests (ODI) – Cllr Pugh declared an ODI having commoners rights on Ashmoor, Normoor, Kempsey, Kerswell Green and Stonehall Commons. He also declared an ODI in respect of agenda item 7.2 d as his brother in law Mr. Allaway carries out the cutting on Kerswell Green.
3. To Consider Written Requests from Councillors' for the Council to Grant a Dispensation (S33 of The Localism Act 2011): **RESOLVED** to grant a dispensation to Cllr Pugh owner commoners rights as specified above and to allow him to participate and vote in any future discussions.

The meeting was adjourned for Public Question Time, notes of which are appended to these minutes

4. Minutes: The minutes of the Extra Ordinary Parish Council meeting of 23rd October 2015 having been previously circulated were signed as a true and correct record. One amendment was made to remove Cllr Bannister's name as being present as he wasn't there.
5. Correspondence for Information:
 1. Letter from Mr. Morris – Acceptance of flag pole
 2. Letter from Hugh Hanmer – Thank you – Vegetation Clearance
 3. Letter of Support – Dualling of the Carrington Bridge on A4440 Worcester Southern Link Road
6. Reports from representatives: To receive an update:-
 1. Neighbourhood Watch - No Crime Alerts Information to report
 2. County Councillor's Report – No report available
 3. District Councillor's Reports – Cllrs Harrison/Michael- The report was noted
 4. Neighbourhood Development Plan - A brief update was presented by Mr. Biddle.
RESOLVED – To place resolutions made at the EOM 23rd October 2015 item 5a,5b & 5c in abeyance until policy wording has been resolved and the Parish Council are in a position to move forward.
7. Committee Report Updates and Proposals
 1. Environment: Cllr Smith – Nothing further to report

Action

2. Commons and Hams: Cllr Waller
 - a. Ashmoor Common – Cllr Bannister reported the cattle had been successfully TB tested and sold at market at a cost of £650 per animal. Thanks were expressed to all people that had helped with the cattle.
Fence repair claim – In progress
Rare species survey – In the process of searching for a collaborator. A letter has been issued to Bristol University. A management plan is required. Problems surrounding rushes and a widespread invasion of ragwort are to be addressed in the spring.
 - b. Kempsey Common –Forum Meeting. Cllr Waller confirmed there had been a good interaction with members of the public and to move forward to adopt a Code of Conduct as opposed to forming a formal Association. This was well received by members of the public.
 - c. Kempsey Common - Easement - Cllr Waller confirmed he had contacted the Open Space Society for some procedural advice and is currently liaising with the applicants representative to establish an access track. A request from the applicants representative for a site visit has been made to expedite this matter.
RESOLVED: To delegate authority to the Commons & Hams Committee in conjunction with the Clerk to conduct negotiations with Mr Cooper and his representative, including consulting with solicitors, with the final agreement with Mr Cooper to be brought back to The Parish Council for approval prior to signing
RESOLVED: To delegate authority to the Commons & Hams Committee in conjunction with the Clerk to engage a contractor to cut gorse on Kempsey Common up to a contract value of £2500
 - d. Kerswell Green
RESOLVED: - To make an ex gratia payment to Mr Allaway for topping of Kerswell Green of £50.00
3. Recreation: Cllr Frazer-Cann
The swing seat had been replaced. The signs had been fitted on the cricket ball stop fencing asking people to use the stile and public footpath off Napleton Lane to retrieve their footballs.
Football Stop netting is due to be installed on 23rd November 2015.
Plywood soffit on the Sports Pavilion needs repairing/replacing.
4. Community Centre: Cllr Bevan
Work to widen the driveway is in progress.
 - a. The Gas Contract has been renewed with the existing supplier at a better rate.
5. Planning: Cllr Patrick
Cllr Patrick confirmed she had attended the Post Office lane Appeal and thanked members of the public and Councillors who had offered support.
She confirmed The Planning Committee would be submitting comments prior to a planning application being submitted in respect of Lioncourt Homes potential housing scheme on land to the east of Main Road for 21 two and three bedroomed bungalows.
A Planning Committee meeting has been arranged for Thursday 12th November at 11.30am
6. Finance & General Purposes:
 - a. **RESOLVED :** The policy for the Management of unreasonable complainant behavior was adopted. Clerk to circulate.
7. Staffing Committee: Nothing to report
8. Chairman's Report : Cllr Geens
 - Confirmed he had attended a MHDC Meeting on 13th October 2015 concerning SWDP (Speaker Duncan Rudge and Rosie Murray).
 - He had attended a meeting with the Area Manager from McColl's shop to try to address parking issues.
 - He had attended a meeting with the Police and Safer Roads Partnership to discuss

speed restrictions and shop parking.

- Expressed thanks to Gerry Brienza for attending to the tree root on the pavement at Napleton Lane.
- First Aid Course is available free of charge at The Hill Centre Upton
- In house training - Standards and Code of Conduct training took place on 3rd November 2015 with Richard Levett from CALC.
- Horse manure/Waste – If you see it happen please report it.

Action

8. Finance

1. Payment of accounts as per schedule were authorized for payment
2. Bank Reconciliation Statement Balance – For Information Only

9. Cllr Geens presented an update report on the Community Youth Centre confirming the backdated outstanding accounts have now been submitted to the Charity Commissioner by Katreena Barnes. These included up to May 2015. All Direct debits have been cancelled. All Trustees would be responsible for any outstanding debts.

A meeting had taken place with the Chairman, Clerk and SME Solicitors to seek advice to progress the situation forward. A solution would be to obtain signatures from The Trustees in the form of a Deed of Surrender. The solicitor has drafted formal wording, in which the Trustees sign away their Legal Rights.

After 13th November 2015 the Parish Council can then look at reducing the Youth Centre overheads to include the utility bills and insurance and to take over administration duties including invoices and accounts.

The solicitor advised to spend no large sums of money at this stage in refurbishing the Youth Centre until the Charity Commission are satisfied the correct procedures have been complied with. and this has been confirmed in writing.

The Youth Centre Working Party to devise a list of expenditure and obtain quotations/ costings for urgent repairs required at the Youth Centre. This will be presented at the December Parish Council meeting for consideration.

RESOLVED: For the Deed of Surrender to be signed on behalf of The Parish Council by the Chairman and Clerk (Plus Trustees).

RESOLVED: To open a separate business bank account with Santander Bank to transact all Youth Centre business. To operate under the same terms and conditions as defined in Financial Regulations.

RESOLVED: To transfer £2500 from Financial Year 2015/16 Budget into the proposed Santander business Account for the purposes of the Community Youth Centre.

10. **RESOLVED** : To insure Community Youth Centre Building with Came & Co at a cost of £443.18 (for £207K Building Cover and £25K contents cover) from 14th November 2015.
11. Reports by Investigative Committee: Anticipated a report would be available early 2016.
12. Motion to publicise draft minutes of Council and Committee meetings in accordance with the Transparency Code – Item deferred)

TG/
Mrs Clee
PG/DB
ANP/AS
KB

Meeting Closed at 9.48 pm
Sharon Baxter
Clerk

Signed.....Chairman.....Date

Standing Orders were adjourned for Public Question Time

PUBLIC QUESTION TIME

Mr. Biddle – Brookside

Work to repair the car park outside the doctor's surgery will commence in January 2016, using the same contractor the Parish Council has engaged to widen the driveway outside the Community Centre

He is to provide some historical information concerning the Old Bridge by the Rocky dating back to 1792.

Standing Orders were reimposed

County Councillor – R Sutton

No report available

District Councillor – D Harrison.

SWDP Deadline for responses 5pm Friday 20th November 2015

Planning Hearing – Post Office Lane- felt the Parish spending money was very beneficial to the village.

John Williams (Monitoring Office) is leaving Thursday 12th November 2015

No waiting along A38 South of the Ketch roundabout – Cllr Harrison to submit further comments. He would like to see no waiting extended further south from Taylors Lane with a revised road layout. The clearway could be monitored by the police.

Road sweeping had taken place in the village today.

Questions/Comments

Cllr Smith asked under the pilot scheme would street lighting be extended to Kempsey to turn off street lights from 12pm – 5am. Cllr Harrison confirmed he was still awaiting a response.

Cllr Patrick confirmed the Parish Council are consultees and would also submit a response in respect of No waiting along A38.

District Councillor – J Michael.

Cllr Michael had also submitted representation concerning parking along the A38 south of Taylors Lane where he raised concerns with transporters vehicles.

He confirmed he is now a member on the board of the Malvern Hills Conservators.

Chairman of Neighbourhood Development Plan (NDP) Mr M Biddle.

Mr. Biddle envisaged the consultation period would be progressing but unfortunately due to some legal/planning technicalities, which the consultants are trying to resolve, the process has been delayed.