

MINUTES OF THE PARISH COUNCIL MEETING OF KEMPSEY
PARISH COUNCIL HELD ON MONDAY 8th DECEMBER 2014
AT 7.30 PM. AT KEMPSEY COMMUNITY CENTRE

PRESENT: - Cllr Michael (Chairman), Cllr Geens, Cllr Bevan, Cllr Bowley, Cllr Blackwell, Cllr Hay, Cllr Waller, Cllr Stevens, Cllr Bannister (arrived 7.45), Cllr Gerrard, Cllr Patrick, Cllr Campbell and Cllr Smith.

IN ATTENDANCE: - District Councillors' Harrison & Rea plus 8 members of the public.

1. Apologies: County Councillor Sutton (Attendance at Ripple Parish Council) – 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): Cllr Blackwell in respect of planning application no: 14/01548/HOU as he resides here.
 3. Other Disclosable Interests (ODI): All Councillors declared an ODI in respect of planning application 14/01548/HOU knowing Cllr Blackwell as a work colleague.
Cllr Stevens declared an ODI in respect of item 8.3(a) as his son attends the nursery.
3. To Consider Written Requests from Councillors' for the Council to Grant a Dispensation (S33 of The Localism Act 2011): None

The meeting was adjourned for Public Question Time, notes of which are appended to these minutes
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4. The minutes of The Parish Council Meeting of 10th November 2014 having been previously circulated were signed as a true and correct record.
5. Correspondence for Information:
 - Letter from Halls Commercial – Fire Insurance Figures- Community Centre and Sports Pavilion – Insurance Company informed.
 - Letter from Dr. S Hedge – Taylor Wimpey – Land off Napleton Lane –referred to Planning Committee for comment on 12.12.14.
6. Reports from representatives: To receive an update
 1. Neighbourhood Watch - Crime Alert Information as indicated.
Burglary non Dwelling – Kempsey
Between Sunday 16th November at 16:30 and Thursday 20th at 20:35 thieves broke into a wooden garden shed located to one side of a cottage in a rural location on Stonehall Common, Kempsey, by forcing the hasp and padlock. A red petrol lawnmower of unknown make was stolen. Nothing was seen or heard and no CCTV. OIS Incident Ref: 0656S 201114
 2. County Councillor -The report was noted
 3. District Councillor - The report was noted.
 4. Neighbourhood Development Plan Update – The report was noted.
7. The Parish Council is waiting for the draft NDP document to arrive from Kirkwells.
It was agreed to formulate ideas in respect of public engagement to take along to the meeting scheduled for Tuesday 6th January 2015. Suggestions for public engagement included delivering a presentation, advertising, canvassing/mailshot to try to gauge wider public opinion.
Cllr Waller confirmed he had produced an NDP timeline and stressed the importance of engaging with MHDC to achieve these critical deadline dates.
8. Report Update including Proposals from Committees:
 1. Recreation Committee: Cllr Campbell

Action

Plan
Committee

<ul style="list-style-type: none"> The emergency lighting has been installed in the Pavilion. £250 grant has been received from District Council Funding to help towards the purchase of new gym equipment . Appreciation was expressed to Cllr Rea. 	Cllr Michael
<p>2. Commons & Hams Committee: Cllr Bowley - Nothing to report He requested if an article could be included in the next Chairman’s Report for the Parish Magazine to remind people not to drive or attempt to feed animals on the Commons.</p>	
<p>3. Community Centre: Cllr Geens</p> <ul style="list-style-type: none"> New signs have been installed above the entrance to the Community Centre together with car park signage. A new fire alarm system was been fitted throughout the Community Centre/Nursery /Hair Gallery and commissioned. The fence to the rear of the car park installed by Elan Homes has been placed in the wrong position. Elan Homes are fully aware of this and will rectify. Resolved to proceed to purchase a new projector screen for Room 1 for the benefit of the Camera Club and the Planning Committee at a cost of £96.38 plus VAT from an online company. Resolved to replace the hand rails on the staircase located in the nursery up to a value of £175 as a matter of urgency. (Please note Cllr Stevens declared an ODI and refrained from voting as his son attends the nursery) There is a galvanized tank located in the nursery roof that is not in danger and can be left there. The thermostat in room 1 is faulty and is due to be replaced with a digital one. <p>a. Resolved to accept quotation to proceed with plaster repairs in the nursery toilet at a cost of £385. The contractor appointed is Dean Gormley.</p>	Clerk Cllr Geens Cllr Bevan
<p>4. Environment Committee: Cllr Stevens</p> <ul style="list-style-type: none"> Worked on a prudent budget for 2015/16 Praised the efforts of Cllr Smith regarding her work on footpath volunteers. 	Plan Committee
<p>5. Planning Committee: Cllr Patrick – A Planning Committee meeting is to be held on Friday 12th December 2014 to discuss the Appeal to Little Acre, to devise a response for David Wilson Homes/Post Office lane Development and to respond to Dr. Hedge.</p>	
<p>6. F & GP Committee: Cllr Michael – Budget proposals have been devised. To be discussed under agenda item 10.3</p>	
<p>7. Staffing Committee: Cllr Michael – Clerical Assistants contract of employment to be discussed under agenda item 16. In Confidential Session.</p>	
<p>9. Chairman’s Report: Cllr Michael and Cllr Patrick met with MP Harriet Baldwin on Friday 5th December 2014 to discuss issues concerning the SWDP and the Neighbourhood Development Plan. MP Harriet Baldwin offered support and would like to circulate the NDP document to the Housing Minister and the Chief Exec at MHDC so that she can argue that our document is well on the way to completion and that the contents should be taken into account if any further building applications are made.</p>	Clerk To notify MHDC.
<p>10. Finance:</p> <ol style="list-style-type: none"> Payments were approved as per schedule of payments lists distributed. Bank Reconciliation Statement Balance – For Information The budget for 2015/16 was approved. A precept of £88K for 2015/16 was agreed. 	Clerk submit comments
<p>11. Planning: Planning Application No: 14/01577/HOU Proposal: Conservatory to the side elevation Location: Windmill Hill House, Main Road, Kempsey, WR5 3LW Comments: No Objections</p>	Clerk submit comments

(Cllr Bannister declared an ODI knowing Cllr Blackwell). At this point of discussion Cllr Blackwell vacated the room.

Planning Application No: 14/01548/HOU

Proposal: Erection of an enlarged replacement porch to front elevation.

Location: 1 The Oaks, Kempsey, Worcestershire, WR5 3PN

Comments: No Objections

Cllr Blackwell rejoined discussions.

12. The Council voted to accept changes to the Planning Document Retention Policy and then voted to accept changes stating planning documents will be kept for a maximum of 5 years from their determination date incorporating the new Parish logo.
13. The Council agreed to amend the proposal to *offer* the flag pole and transfer ownership to the Parish Hall and record on end the proposal Asset Register. This was then voted upon to accept. Clerk to write to The Parish Hall Trustees to offer the flag pole to them.
14. Resolved to accept revised Asset Register.(subject to the offer of the flag pole as stated above)
15. Motion to accept the Draft Emergency Plan – This item was deferred until January 2015.

Under The Public Bodies (Admission to Meeting(s)) Act 1960 The Council resolved to exclude the public and press from agenda items 16. as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

16. The Council wish to amend/modify changes to the Clerical Assistant's Contract of Employment.

Meeting Closed 10.07 pm

Sharon Baxter

Clerk

Signed Chairman Date

Clerk/
Cllr
Stevens

Clerk

Cllr
Michael

All/
Clerk

Standing Orders were adjourned for Public Question Time

PUBLIC QUESTION TIME

Mr Terry Dillingham (representing East Kempsey Action Group – EKAG)

EKAG

Terry Dillingham presentation to Kempsey Parish Council 8th December 2014

Proposed housing development by David Wilson Homes off Post Office Lane, Kempsey

I would like to update the Council on our actions since the last meeting and request that you likewise inform us of your own progress on this matter. I will not focus on the issues about the status of the SWDP, the significance of the Neighbourhood Plan, the large number of new homes already approved for Kempsey, or drainage problems of the land-important as they are and they will be emphasised again in our correspondence to officials and members. Tonight I want to again concentrate on the Highways issue.

You will recall that the Highways Authority (HA) did a U Turn on their initial decision to refuse approval-eventually they had the courtesy to reply to our request for an explanation. It took two weeks for a standard reply saying that as a consultee in the planning process they are not required to justify their decision to do an about turn and withdraw their objections. Is this how an open democratic system works I ask myself? It is also interesting to note that JMP (David Wilson's Highways Consultant) emailed their appeal in a technical report in July to the HA but got the email address of MHDC Planning Officer wrong and thus that delayed him notifying the U turn via the MHDC planning website till October. Emails get auto return to sender and clearly the administration of JMP is poor

Faced with a HA U turn and a belated notification from JMP on the MHDC website and the poor quality of that report even to a layman we had no alternative but to employ our own consultant

His report has been completed and submitted to MHDC by EKAG today. This professional technical report will be made available to you, to the District Councillor's, our County Councillor and indeed to our MP and the media

This report unlike that from JMP has proper regard to

1.the existing situation in Post office Lane and

2.to the needs of pedestrians children, mothers, grandparents, dogs, scooters, cycles using POL

NOT JUST VEHICLES and TRAFFIC FLOWS but PEOPLE

EKAG in the absence of others doing so has provided data from two surveys (which the HA had asked the developer to do in one form or another) and photographic evidence of entry and exit of vehicles and people in POL. The initial survey was in June 2014 and the other one last week on 1st December

The infamous Para 32 of the NPPF provides three broad tests-our Consultant argues that JMP has failed to prove that they have been met and that the HA doesn't understand the framework

JMP-the D Wilson consultants who they rely on- have had no regard to

1.The safety of pedestrians

2. The inadequate width of the carriageway

3.The inadequate width of the pathways

4.The fact that the additional 300 plus houses already approved for Kempsey will add to the already congested POL at school and nursery times-the pedestrian hell for them will increase out of all proportion

During June our survey shows the high level of vehicular movement causing road jams and general uncertainty for drivers and pedestrians on POL and the A38

Our survey on 1st December-yes last Monday (no fog, no ice, no snow, no rain, no floods)

And what did we find?

- 15 , one five, 15 ! Cars mounted the pavement due to restricted carriage width.
- 17 out of 180 children and parents who were eastbound pedestrians had to step into the road due to narrow, below standard size footpaths
- Vehicles crossing the central white line resulting in traffic hold ups on the junction of POL and the A38 and children trying to cross the A38 amongst the hold ups (With currently no crossing patrol)

I tell it was an eye opener. It was MAYHEM. Bus followed by tractor, mini bus, large 4x4 cars ,refuse lorry turning in and out of the Talbot car park adding to the hell on the A38-while some parents were trying to park in the pub car park to then join in the pedestrian hell as they think it might be better than trying to go up POL

Our Consultants report has gone to MHDC Planning officer today. The JMP report does not meet the Par 32 tests and the HA's –and I quote- 'appraisal is fundamentally incorrect in its interpretation of the context of Para 32.

BUT

WILL THE HA READ IT?

WILL THEY HAVE PROPER REGARD TO OUR CONSULTANTS REPORT AND TO THE NEEDS OF PEDESTRIANS?

WILL THEY RESPOND TO IT OR HIDE BEHIND ANONIMITY?

WILL THEY TALK TO US?

WILL THEY ACT PROFESSIONALLY?

What can the Planning Officer at MHDC do unless the HA responds properly?

Today we have learned from the MHDC Planning Officer that this Davis Wilson application will be considered by the Northern Area Development Planning Committee on 7th January

WHO WILL STAND UP AND BE COUNTED?

It is essential we stick together. That our elected representatives ensure full consideration is given to all the information and analysis and that common sense prevails

WE would be pleased to hear an update on what the Parish Council has and will be doing about this development

Mr Mike Biddle (Brookside)

Updated The Council on the situation of the Churchyard confirming a time extension had been granted. Also two site visits have taken place.

Mr Dillingham questioned the letter received under correspondence from Dr.Hedge and asked to be enlightened. Cllr Patrick provided an update confirming a response would be devised at the Planning Committee meeting scheduled on Friday 12th December 2014.

Standing Orders were reimposed

County Councillor – R Sutton

1. Footpath repairs are due to be carried out in Ellsdon by Highways in January 2015.

District Councillor – D Harrison.

- No change to refuse collection over the Christmas period – service not affected.
- Flood Defence - Height markers have been installed in The Rocky but no scale has yet been indicated.
- Update on purchase of The Limes – advising the solicitor has resigned hence further delay.
- Merry Christmas and a Prosperous New Year

Cllr Michael stressed the importance to have the land at The Limes transferred for The Parish Council to acquire valuable open space for the village.

District Councillor – A Rea.

- Jack Hegarty, has taken up his post as Joint Chief Executive/Managing Director of MHDC and Wychavon District Council with effect from 01st December 2014.
- Planning Services at the District Council has produced some guidance on Class MB permitted development. (Agricultural)
Queries to be directed to developmentcontrol@malvern hills.gov.uk.
If the enquiry is from The Parish Council please make this clear otherwise fees may be applicable.
- Merry Christmas and a Prosperous New Year

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

Neighbourhood Development Plan Report

I would like to thank Cllr Ann Smith for the presentation made to the NDP Working Party in respect of the Draft Neighbourhood Plan from Kirkwells and I await with interest the Parish Council's proposals for the public consultation exercise on the NDP

Mike Biddle 02.12.14

