



**MINUTES OF THE PARISH COUNCIL MEETING HELD ON
MONDAY 12th DECEMBER 2016 AT 6.30 PM.
AT KEMPSEY COMMUNITY CENTRE**

PRESENT: - Cllr Geens (Chairman), Cllr Waller, Cllr Frazer-Cann, Cllr Pugh, Cllr Hanmer (arrived at 7.10pm) Cllr Blackwell, Cllr Ferguson, Cllr Patrick, Cllr Smith and Cllr Gerrard

IN ATTENDANCE: -

County Councillor Sutton plus 14 members of the public. Mr Biddle - Vice Chairman of NDP

1. Apologies: - Cllr Hodgkins - (Illness) – accepted. District /Cllr Michael (Meeting at MHDC) - accepted. District Cllr Harrison (Meeting at MHDC) - 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) – None
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

4. Vacancy for a Councillor to be filled by co-option – No interest expressed to date. Cllr Waller has devised a Parish Councillor vacancy advert for display purposes. Following a brief discussion concerning the wording on the advert it was agreed to amend to state ‘13 members’ as opposed to ‘13 parishioners’.
5. Minutes: The minutes of the Parish Council Meeting of 14.11.16 having been previously circulated were signed as a true and correct record with the following addition to item 9.6 (g) as requested by Cllr Waller.

The auto enrolment process requires that ‘Employers go through a process to determine whether the employee qualifies for auto enrolment. Has the Parish Council carried out this process? The Chairman confirmed the process of auto enrolment had been carried out.
6. Correspondence for Information:
 1. FOI Request & response - Letter dated 16.11.16 from Mr. R C Bowley - Re: Parish Council Meeting 14.11.16
 2. FOI Request - Letter dated 27.11.16 from Mr. Bowley – Re: Parish Council Meeting 14.11.16
 3. FOI response to Mr. RC Bowley & ICO 24.11.16
 4. Letter dated 05.12.16 from R C Bowley – Re: Freedom of Information Act
 5. House of Lords –Work of the House of Lords 2015-16 – For Information
 6. Countryside Access Management Ltd – Proposed Public Path Diversion Order- Footpath no.573 - Comments to be received by 11.01.17 – This correspondence refers to both Environment and Planning Committees. Cllr Smith confirmed the Environment Committee has no comments to make. Item to be referred to next Planning Committee meeting on 19.12.16 for comment.
 7. Letter from Mr. Bowley dated 9th December 2016 – Querying Investigative Panel
Cllr Waller confirmed little progress has been made. He objected to the motion being put forward, on the grounds it did not appear on the agenda for the meeting.
RESOLVED: It was agreed if not complete by the January Parish Council meeting the Investigative Panel will be disbanded , with the conclusion of no findings, and will not proceed any further forward.

Action

- 7.
1. Neighbourhood Watch – Crime Alert Information circulated by the Clerk to Councillors upon immediate notification to raise awareness.
 2. County Councillor’s Report – *Cllr R Sutton*.
 - Road Closures on A38 near The Walter de Cantaloupe Inn, for 4 days due to emergency drainage works to be carried out by Severn Trent.
 - Budgets are under review especially the Social Care issues – Vulnerable Children and Adults.
 - A meeting is to be arranged with Highways to try to resolve issues highlighted in a letter from Mr Dix.
 - Continuing to pursue Transport Department concerning the bus terminal at Baynall.
 3. District Councillor’s Reports – *Cllrs Harrison/Michael*- No report available.
 4. Neighbourhood Development Plan (NDP) Update (*Cllr Smith*)
The issue surrounding the Strategic Environmental Assessment (SEA) has now been resolved and referred to our consultants. The next stage is to submit to David Clarke at MHDC. Cllr Smith is to talk about Neighbourhood Development Plans and experiences so far, at the next Malvern Hills Area Committee meeting on 14.12.16.
8. Finance
1. Payment of accounts as per schedule were authorized.
Cllr Hanmer queried the invoice for the water heater at the Sports Pavilion. Cllr Geens explained the boiler had to be replaced as an emergency ,on a like for like basis, to allow hot water to the showers.
 2. Bank Reconciliations – RFO has now updated and balanced the accounts from June- November 2016 inclusive.
 3. Draft budget and precept request of £96354.00 for 2017/18 has been circulated for comment, and will be voted on at the January 2017 Parish Council Meeting.
 4. The External Audit for 2015/16 has been concluded by Grant Thornton.
9. Committee Report Updates and Proposals:-
1. Environment: *Cllr Smith*
The litter bin located at the shop has been damaged. This is to be replaced with a new bin (which the Parish Council has in stock) and will be relocated once the Lengthsman cuts and removes some tree branches close by.
 2. Commons and Hams: *Cllr Waller*
The cattle corral was repaired to allow cattle to be TB tested within the statutory timeframe. All cattle were tested negative. The cattle have since been sold at auction, unfortunately at a total loss of £780.00. The Management Plan with Natural England will be reviewed as a result. David Martin has successfully completed clearance work to the road edges of Stonehall Common.
 3. Recreation: *Cllr Fraser-Cann*
The minor outstanding repairs to the Pavilion Roof have now been resolved and the invoice can now be paid. It is likely that the lead flashing around the roof lights will require attention soon. In the process of obtaining quotations for car park extension and considering request for a path from the car park to access the children’s playground and tennis courts.
 4. Community Centres: *Cllr Hanmer (In the absence of Cllr Michael)*
 - a. **RESOLVED:** To amend proposal to read - to exchange heat sensors to smoke sensors ‘except’ in the kitchen at the Youth Centre
RESOLVED: To exchange heat sensors to smoke sensors , except in the kitchen, at the Youth Centre at a cost of £345.00 by A&E Fire & Security.
 - b. **RESOLVED:** To install emergency lighting in the kitchen at the Youth Centre at a cost of £153.09 by A&E Fire & Security.
 - c. **RESOLVED:** To order a sign stating Kempsey Youth Centre from City Signs at a cost of £90.00 plus VAT.
 5. Planning: *Cllr Patrick* – Meeting of 09.12.16 was cancelled due to being inquorate. Next Planning Committee meeting is to take place on 19.12.16. An Open Day for the Taylor Wimpey Development located between Pixham Ferry Lane and Old Road South will take place

JM

JM

TG

AP

6. Finance & General Purposes: *Cllr Geens*

Recommendations from F&GP Committee meeting on 24.10.16

- a. **ITEM DEFERRED:** To amend Financial Regulations 3.9 (page 7) to permit non-emergency expenditure for Committees up to the value of £250 (currently £100) to be authorized by the Clerk who will maintain a record of request. Clerk to liaise with Cllr Waller to confirm changes to wording required in Financial Regulations. Item to feature on the January agenda.
- b. **ITEM WITHDRAWN:** That F&GP has oversight of development of the new community centre and recreation facilities assisted by a sub-committee comprising of specialists and councillors. This was agreed at the November Parish Council meeting.

CW/
CLERK

Cllr Smith confirmed the first meeting of Community Infrastructure Sub Committee had taken place which was very productive. A chairman had been appointed, terms of reference a constitution plus the way forward agreed.

Cllr Blackwell referred to the new recreation site stating the following-

‘ He wished to echo the concerns of residents that they had not been consulted about the proposals and are not happy to have facilities on the back of a planning application approval for an additional 113 new dwellings when we have already got our full quota in the village. With regard to the facilities being provided there has been no discussion with interested parties to avoid duplication of things and a meeting should be called with these parties to see if we can co-ordinate everything. This deal being arranged speaks of sharp practice.’

Cllr Smith reiterated various public consultations had taken place at the Church, WI and The Cornflower Club. The Council has spoken at length to KSA.

The Chairman, Cllrs Smith & Patrick tried to explain to Cllr Blackwell the importance of securing new recreation facilities for the benefit of the whole community and that there is no question of sharp practice.

7. Staffing Committee: *Cllr Geens* - Nothing to report

8. Chairman's Report: *Cllr Geens*

1. A complaint was received about horse riding on the public footpath opposite The Crown. This is totally unacceptable and awareness needs to be raised.
2. Speeding Motorists in Brookend Lane - The Lengthsman moved the portable VAS Sign in both directions set at both 30mph and 40mph, to gather speed statistics. This recorded lower numbers/speeds than anticipated. However it was a useful exercise to trial.
3. The Clerk, The Chairman and Cllr Michael were requested by West Mercia Police to attend a meeting to discuss issues centred around Mr. Bowley and his constant stream of comments, questioning Parish Council decisions via letters and FOI requests, which is having a greatly adverse effect on both council time and resources. The police offered some guidance to help with this civil matter. Further update to follow.
4. Comments to keep the phone box located outside the Crown have been submitted to WCC. The Chairman gauged council opinion concerning the phone box located outside the Community Centre. It was felt that this should be removed as it had not been used within the last 12 months. Cllr Pugh is to gauge opinion from the residents in Kerswell Green if this phone box should remain, with the idea that it will house a defibrillator, if there is sufficient power to the box. Cllr Geens to make some enquires with BT. Item update to feature on the January agenda.

DP
TG

10. Welcome packs for new residents. Update on progress. (*Cllr Patrick*)

The folders are currently being printed. Groups have supplied flyers. Cllr Patrick to finalise some further information. She will liaise with developers concerning a parish map and bus timetable to avoid duplication. The packs will then be photocopied, compiled and delivered to new residents early January 2017.

AP

Meeting Closed at 8.15 pm
Sharon Baxter
Clerk

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

Standing Orders were adjourned for Public Question Time

PUBLIC QUESTION TIME

Sandra Hawker - Marlbank

Queried flying drones on Kempsey Common. She queried will residents have the opportunity to object strongly? She briefly outlined the reasons to object which include noise, privacy to residents and danger to animals.

The Chairman confirmed we have been approached with a request to fly drones. A demonstration has taken place on Stonehall Common. As a Parish Council we are obliged to consider this request. However there is no firm proposal on this subject and nothing has yet been finalised.

Mr Booton - Marlbank

Anticipates parking issues for residents if the Parish Council grants permission to allow the flying of drones.

David Morris - Kempsey Common

Referred to the byelaws.

The drones will spoil the tranquillity and enjoyment of Kempsey Common and graziers rights

Sally-Ann Collins, Stonehall Cottage – Stonehall Common

Is horrified the Parish Council is even contemplating this request.

She had contacted MHDC Conservators to find out issues they experienced with flying drones on Malvern Hills and on their common land. Their byelaws are different however the same principles apply.

She highlighted issues surrounding tranquillity and enjoyment, privacy issues, insurance- public liability aspects, safety, wildlife issues, public risk plus parking issues.

She feels if the Parish Council permits drones this will open up the flood gates.

Cllr Waller reiterated that the Parish Council would not proceed without public consultation as this was a controversial matter.

Will Halford – Common Farm, Kempsey Common

Highlighted the gorse was adequately controlled without the need for drones in the past.

Process and consultation are they one of the same thing. Please explain?

Cllr Waller highlighted events that had happened to date which included a request to fly drones, a demo on Stonehall Common. The drone club are to form constitution and present to the Parish Council.

The Council will then take all factors into account and vote upon the request.

Matthew Hodgetts – Park Farm, Stonehall Common

On the subject matter of drones what would be the benefit to the wider community?

Mike Biddle – Brookside

Would like to defer his request until next meeting until the person concerned is present and hears what he has to say.

Referring to correspondence - Can we provide an approximate figure on how much Mr Bowley is costing the Council in terms of both time and cost via his requests?

He also raised an issue concerning casual parking provision on new developments. There should be 20 percent casual parking provision to alleviate parking problems. Has this been implemented? He will liaise directly with County Cllr Sutton on this matter.

Martin Lloyd Morris – Walter de Cantaloupe, Main Road

Wished everyone A Happy Christmas and New Year.

Highlighted the problems with the blocked underground drainage in the village. What is the likelihood of having this upgraded so that the community can benefit from an effective drainage system? The road closures are impacting on people on how they conduct their everyday business.

Cllr Patrick confirmed that Severn Trent have now recognised and acknowledged there is a problem.

Standing Orders were reimposed