

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

PRESENT: - Cllr Michael (Chairman), Cllr Geens, Cllr Bevan, Cllr Bowley, Cllr Stevens, Cllr Waller, Cllr Bannister, Cllr Blackwell (arrived 7.50pm), Cllr Gerrard, Cllr Patrick, Cllr Campbell and Cllr Smith.

IN ATTENDANCE: - County Councillor Sutton, District Councillors' Harrison & Rea plus 18 members of the public.

1. Apologies: Councillor Hay - Holiday – accepted
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 Waller declared an ODI in respect of planning application No: 15/00075/FUL, as the applicant Mr T Halford is his neighbour. Cllr Waller confirmed he was happy to leave the room during discussions and intends to abstain from voting on this item.
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. Minutes: The minutes of The Parish Council meeting of Monday 12th January 2015 having been previously circulated were signed as a true and correct record.
5. Correspondence for Information:
 1. Letter from Mr. Morris regarding flag pole at Parish Hall – referred to Environment Committee
 2. Complaint from Mr. May mould/damp on the nursery wall – Cllr Geens advised he was in the process of obtaining two quotations to address the issues with damp situated in the toddler room in the nursery caused by cold, humidity and lack of ventilation..
 3. Thank you from Camera Club – New projection screen – Information Only
 4. Correspondence from Natural England – Requirement to submit an annual claim for Environmental Stewardship Agreement from 2015 onwards – referred to Commons & Hams Committee and diarized in Parish Office
 5. Letter from Natural England – Introduction as scheme/SSSI adviser Cindy Hobkirk – For Information
 6. Letter from Harriett Baldwin MP – reply from Brandon Lewis MP, Minister for Housing and Planning – referred to Planning/NDP
6. Reports from representatives: To receive an update
 1. Neighbourhood Watch - Crime Alert Information was distributed.
 2. County Councillor – The report was noted.
 3. District Councillor – The report was noted
 4. Neighbourhood Development Plan Update – The report was noted.
7. Report Update including Proposals from Committees:
 1. Recreation Committee: Cllr Campbell
 1. Resolved to accept quote for installation of 3 pieces of gym equipment and grass tiles at Plovers Rise playing field for £4094.50 from www.fresh-airfitness.co.uk

Action

M Stevens

T Geens

B Bowley/
Parish
Office

C
Campbell

Action

<p>(Cllr Blackwell departed from the meeting at 9.17pm)</p>	<p>C Campbell</p>
<p>2. Resolved to purchase and install an Automated External Defibrillator at Plovers Rise playing field at a cost of £1365.00 from www.aadefib.com . A plaque is to be installed to the effect that the AED has been donated by grace Community Church. The cost of this to be paid by The Parish Council.</p>	<p>B Bowley</p>
<p>2. Commons & Hams Committee: Cllr Bowley</p>	<p>Clerk</p>
<p>1. Vehicular access across Parish commons Resolved clarification is sought, in the first instance, by written request to the relevant parties to provide documentary evidence that they have rights of way. If this does not provide adequate clarification the next step would be to seek advice and clarification from our solicitor.</p>	<p>Clerk+1</p>
<p>2 Exercising of Croome Hunt hounds on Kempsey Common Resolved - Running hounds is a traditional recreational activity in the countryside and it is the view of the Parish Council that we should support this request for the times and periods when occurs.</p>	
<p>3. Approval to Purchase cattle for Ashmoor Common Resolved delegated authority be granted to the Clerk, in conjunction with one or more Committee members, to purchase suitable cattle for Ashmoor Common to a value of £4,500</p>	
<p>3. Community Centre: Cllr Geens New hand rails have been fitted on the nursery stairway under budget.</p>	
<p>4. Environment Committee: Cllr Stevens Cllr Blackwell has installed safety signage to the bridge at the Rocky. Cllr Smith plus three volunteers had recently attended training on footpaths. The arrangements are to be finalized concerning the memorial bench unveiling ceremony.</p>	
<p>5. Planning Committee: Cllr Patrick – Nothing to report</p>	
<p>6. F & GP Committee: Cllr Michael</p>	<p>Clerk</p>
<p>1. An F&GP Committee meeting has been arranged for 23rd February at 7pm where a review of Standing Orders, Financial Regulations and current official Council approved procedures and protocols will take place. The Committee will also conclude a request from Cllr Bowley’s original instruction from November 2013.</p>	
<p>7. Staffing Committee: Cllr Michael advised there is one item to discuss in Confidential Session</p>	
<p>8. Chairman’s Report :- Cllr Michael confirmed that he had attended the Northern Area Development Committee where outline planning permission had been approved for 30 new homes at Kings Hill. He also advised that a local resident Ruth Thomas will be 100 years old on 17th February 2015. Resolved to purchase a card and flowers to the value of £25.00 to celebrate the occasion.</p>	
<p>9. Finance:</p>	
<p>1. Payments were approved as per schedule of payments list distributed.</p>	
<p>2. Bank Reconciliation Statement Balance – For Information F&GP Committee to consider future investments.</p>	
<p>Clerk to include the Sale of The Cattle on the Ashmoor Common Expenditure sheet.</p>	
<p>3. Revision to precept and budget for 2015/16 – For Information Only</p>	
<p>4. List of authorized non-emergency expenditure to value of £100 – For Information Only</p>	
<p>5. List of paper and ink expenditure – For Information Only</p>	
<p>F&GP Committee to review the policy concerning the supply of black/coloured ink.</p>	
<p>10. Planning: Cllrs were reminded to view the MHDC website:-</p>	
<p>Appeal Notification Proposal: Change of use to form three residential dwellings</p>	<p>Action</p>

Location: Farmers Arms, Bestmans Lane, Kempsey, WR5 3QA

Planning Inspectorate Ref: APP/J1860/W/14/3001751

Representations to be received by 24/02/2015

Comments:

Whilst we originally had no objections to this application, this decision was based on our concerns for the future of the existing main building. We are concerned that if this building is not developed or renovated, it will soon become derelict. Our comments with regard to the P.R.O.W still stand.

Planning Application No: 15/00075/FUL

Proposal: detailed application for residential development of No.4 dwellings, with associated new access (off 5 Florence Close), amenity space and car parking

Location: Land rear of 5 Florence Close, Kempsey, WR5 3NE

Comments:

We object to this application because:

The design and access statement contains erroneous comments – see page 2.

On page 5, it states that the turning head is to be increased, no plans have been provided and we fail to see how this can be achieved.

No indicative site plan was included with the application documents and reading the topographical plan has not been easy.

The application form states that 12 parking spaces will be provided, but according to the topographical plan there is provision for only 11.

The proposed high end market homes are not in keeping with the surrounding properties. As a result we would much prefer to see smaller properties with affordable housing provision included. We continue to have concerns regarding the very narrow access to the site (just 3.5m wide), which will also cause problems for service and emergency vehicles.

Planning Application No: 14/01225/FUL

Proposal: Application for the construction of 15 bungalows

Location: Land at The Firs, Old Road North

Comments:

We continue to believe that a one way system is still the only way to manage the traffic flow on this site.

From personal experience of dropping off or collecting elderly and/or disabled residents or visitors the proposed two way traffic system is going to cause major problems, as the existing road is too narrow to allow this. To add to this, the slope of the proposed turning head will cause problems for many users.

The Worcester wheels small bus already blocks the road.

The present single carriageway cannot be widened due to the sloping site. We would suggest that the applicant, planning officer and WCC Highways, arrange a site visit to see for themselves just how much traffic uses this site, especially on a Tuesday.

Planning Application No: 14/01471/FUL

Proposal: Two storey side extension

Location: 8 Rookery Road, Kempsey, WR5 3JP

Comments: No Objections

Planning Application No: 15/00058/HOU

Proposal: Erection of extensions

Action

Location: 2 Plovers Rise, Kempsey, WR5 3SA

Comments: No Objections

11. The Annual Parish Meeting will take place on Monday 11th May 2015 at 7.30pm at the Community Centre. Suggestions for a guest speaker to be emailed to The Clerk.
12. Resolved to accept the Draft Emergency Plan (removing Cllr Stevens name from the Team Members). F&GP Committee to discuss distribution of the emergency plan to every household.
13. Resolved to include PACT on Parish Council Insurance Policy subject to no variation/impact to insurance terms and conditions. Clerk to liaise with Came & Co.
14. Registration of Community Centre and Plovers Rise Playing Fields
Clerk to liaise with the solicitor to seek legal advice and costs concerning land registration.

Under The Public Bodies (Admission to Meeting(s)) Act 1960 The Council resolved to exclude the public and press from agenda items 15 as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

15. RESOLVED to amend and approve bullet point 15 of the Job Description for the Clerical Assistant's Contract of Employment - to finalise the contract of employment for signature.

Meeting Closed at 10.36pm

Sharon Baxter
Clerk

Standing Orders were adjourned for Public Question Time

PUBLIC QUESTION TIME

David Morris - Prospect Cottage, Kempsey Common

Raised very serious concerns with supplementary feeding of the horses on Kempsey Common affecting their behaviour and spoiling the enjoyment of others on the Common. He felt spoiling the enjoyment on the common contravenes with the bye laws. He urged people to stop supplementary feeding from a health and safety perspective.

Cllr Michael to include an article in the Parish Magazine.

Cllr Bowley concluded there is nothing stated within the byelaws which states supplementary feeding is forbidden. This is an animal welfare issue.

Dee Dawson – Kempsey Common

Highlighted that an incident had recently occurred where 15/20 horses had charged across Kempsey Common and had escaped into people's gardens and onto the lane causing a nuisance and danger.

Cllr Bowley confirmed this is a civil matter and The Parish Council cannot get involved.

Cllr Geens felt we have an obligation as land owners to address the concerns of parishioners who use the commons.

Cllr Bannister felt the best way forward to manage this situation would be to form a Commons Council.

Cllr Smith also offered a solution in that a conversation needs to be had with the person conducting the supplementary feeding.

Jackie Burrows – Swanpool Cottage, Kempsey Common

Stated it was increasingly difficult for visitors to visit her property due to the congregation of horses which are very intimidating .She feels the enjoyment of the common was being reduced.

She stated people should be discouraged from supplementary feeding in the winter months.

John Grantham – Corner Stones, Kempsey Common

Expressed he was in total agreement with Jackie Burrows and that grazing on the Common should be discouraged during the winter months as this causes disruption and upsets the balance of the horses.

It is imperative that we revisit the Commons Register/Grazing Rights so that it is known who is using The Commons.

Cllr Bowley stated that we must operate withing the law and if the act is not contravened than it is not enforceable.

Katherine Burrows – Swanpool Cottage, Kempsey Common

Referred to 2006 Act as primary legislation. The Parish Council must fulfil its obligations. She referred to the Public Register. Cllr Michael confirmed Worcestershire County Council hold the register but this out of date.

Cllr Waller confirmed that the registers of Commons grazing rights held at Worcestershire County Hall are very outdated documents and that responsibility for updating the registers for England & Wales is with Defra. The timescale for updating the Worcestershire registers has not been published.

He also questioned if anyone had consulted with the Police concerning the problems with the horses?

He was advised that the police had been informed.

John Worthington – Main Road

Made reference to the days when a Hay warden was employed which eliminated a lot of these problems.

He also confirmed from a Health and Safety perspective the horses congregating around the entrance as a result of supplementary feeding were a nuisance.

Chris Allen – Swanbrook Farm, Kempsey Common

Reiterated the problems on Kempsey Common highlighting this was preventing the enjoyment of others and urged that action be taken immediately to rectify.

Cllr Bannister confirmed The Parish Council had spent the last 4 years trying to resolve the problems on Kempsey Common. He referred to 2006 Commons Act advising this offered some advice and guidance on Commons Council.

Cllr Bowley confirmed that he had spoken to both parties concerned and that the views cannot be enforced as this is a civil matter.

Mrs Wendy Coen – 4 Brookside

Brought to our attention that a barbed wire fence located by the surgery on Old Road North is very dangerous. It was confirmed this was on private land and the Clerk is to write to the land owner Mr Haley from Millhouse to request repairs/removal.

Mr Hugh Hanmer – 8 Elgar Drive

Confirmed the grit bin located in Napleton Lane had still not been replenished with grit as promised. Cllr Harrison to pursue.

Standing Orders were reimposed

County Councillor – R Sutton

Monday 9th February 2015

- IT services to be outsourced on 13th February 2015
- Introduction Care Act – changes implications to allowances and spending limits
- Problems surrounding M5 Night Time Road Closures
- Ketch Island – Underpass improvements and public footpath access.
- Addressing issues concerning parking at Bannut Hill - Gerry Brienza to investigate

Questions/Comments

Cllr Bowley expressed his thanks to Highways for the repairs to pot holes in Kerswell Green

A complaint was received from Cllr Bannister concerning the mud on the road in Brookend Lane caused by the building work of the housing development. This is to be reported to Lioncourt Head Office to clear.

District Councillor – D Harrison.

Confirmed he is due to speak at the SWDP consultation period later this month.

He has made comment concerning Parish Profiles

Questions/Comments

Cllr Waller thanked Cllr Harrison for his prompt response from David Clarke concerning Gypsy Assessments

Cllr Patrick is seeking support from District Councillors in rejecting future planning applications.

District Councillor – A Rea.

Kempsey Parish Council - District Councillor's Report – 09th February 2014

CIVICA

I, like my colleague Cllr Harrison, was part of a Council Policy Group that investigated and recommend whether MHDC should agree to the commissioning from Civica of the customer contact services currently provided by the Worcestershire Hub Shared Service on the basis of the business case presented to the South Worcestershire Shared Services Joint Committee. As part of the committee I was elected vice –chairman, and I accepted the responsibility for writing the report in consultation with the Heard of Service, and at the meeting of Full Council that took place on 29th January, presenting and moving the recommendations to accept the proposal as detailed in the agenda item. I am glad to report that the Council approved the recommendations, which will generate future savings for the Council of up to £232,000 over the 8.5 year contract term.

West Mercia Police and Crime Panel

Chairman, I attended the West Mercia Police and Crime panel held on the 4th February on behalf of the Leader of Malvern Hills District Council. Of the items on the agenda, one was the consideration of the proposed precept of 76 Million pounds. The second was a report into the progress in delivering the Police and Crime Plan for West Mercia. I did press David Shaw the Chief Constable, on the matter of response times as this is an important measure, not only for urban areas, but especially for rural areas.

The chief constable did say that in cases where people from the control room have been recruited to go on the beat, it may have happened quicker than it should have done. Response times and the quality of the calls are picking up to where he would like them to be and he reassured me that if required he could call on the resources of other forces. Although the Chief Constable was not proud that he had dropped a few percentage points, West Mercia is able to identify if they are struggling with calls and trip those calls over to neighbouring Police Authorities , so there is not an inherent risk to the public from these figures albeit that an improvement in the figures needs to be shown. I did promise the Chief Constable that I would take that response back to the rural parishes that I represent.

Council Tax

As a member of the MHDC Medium Term Financial Plan Board, I am pleased to be able to tell the Parish Council and the residents of Kempsey that MHDC has been able to place a 0% Council Tax increase in the draft budget, the second time in 4 years. The main way MHDC has achieved this is through further efficiencies and raising income; namely their cost effective leisure contract, the

joint Chief Executive role and private sector partnerships e.g. the arrangement with Civica for revenues and benefits. Despite some of the largest cuts to our funding in history, we're still managing not only to balance our budgets, but to continue to provide high quality services

Thank You Chairman.

Questions/Comments

Cllr Geens expressed his disappointment that the Kings Hills development had been approved.

Cllr Rea confirmed as this is a live planning application he is restricted with his comments. However all factors are taken into consideration during the process.

District Councillors Questions.

From: Chris Waller

To: David Harrison and Adam Rea

Gentlemen,

Please find below two questions which I should be most grateful if you could respond to at/for tonight's Kempsey Parish Council meeting.

Point 1

The document 'Worcestershire Gypsy and Traveller Accommodation Assessment, Revised Final Draft, November 2014' contains the following recommendation.

"10.2 Whilst the study has not identified a need to identify and plan for large strategic Traveller sites in the five year period from 2014/15 to 2018/19, the Councils should assess the suitability of proposals and planning applications for smaller sites as they arise against criteria - based planning policies. In the longer term, Planning Policy for Traveller Sites states that local planning authorities, in producing their Local Plans, should identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11 -15."

Has this recommendation, and the other recommendations within this report, been accepted by Worcestershire and Malvern Hills authorities, has Malvern Hills District Council any actions / activities in hand as a result of this Assessment and should this issue be referred to within the Kempsey NDP?

Point 2

In its submission to the SWDP Examination in November 2014, Kempsey Parish Council drew attention to the potential considerable inconvenience to some outlying communities arising from the SWDP proposal to introduce access restrictions to traffic along Norton Road. At the November 2014 Parish Council meeting Cllr. Rea advised that "a package of measures/restrictions are being proposed to persuade drivers to use a different route".

Can our District Councillors please say where these measures and other traffic restriction proposals have got in the SWDP process?

Kind regards,

Chris Waller

Reference: <http://www.malvern hills.gov.uk/development-plan-documents>

From David Clarke

Dear Cllr Harrison,

National Planning Policy for Traveller Sites says that Local Planning Authorities, in producing their Local Plan, should identify a supply of specific deliverable Traveller sites sufficient to provide five years' worth of sites against their locally set targets. They should also identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15.

The GTAA is technical evidence to support the development of the Traveller & Travelling Show people policy in the SWDP (and other Local Plans in Worcestershire).

In terms of actions / activities in hand as a result of the Assessment, the SWDP proposes up to 20 pitches through the identification of small sites (up to 10 pitches) on the Worcester West and Worcester South urban extensions and the South Worcestershire Councils are preparing a Site Allocations DPD. As part of the process of preparing the DPD, the South Worcestershire Councils will undertake a call for possible Traveller / Travelling Show people sites.

Neighbourhood Plans are not required to identify sites for Travellers ... although there is nothing to stop sites being identified in a Neighbourhood Plan if that is what the community wants to do.

I hope the above is helpful.

Regards,

David Clarke

From: Adam Rea

Dear Chris,

Hopefully you will have seen the reply from David Clarke; I hope that helps with the first point.

With regard to the second point, I have included a link to the application for the Broomhall SUE which has a submitted indicative road layout as at 2013. At this time I cannot confirm if there has been an update, however, I hope this helps identify the kind of measures that have been proposed so far.

<http://e-access.malvern hills.gov.uk/eaccess/planningdocuments.asp>

Search for application **13/00656/OUT** and the two relevant documents are:

Appendix 8.1 Transport Assessment Annex A Street Hierarchy Strategy (Development Scenario A) 10/06/2013 11:28:04
&

Kind regards,
Adam Rea

[Cllr Adam Rea](#) | [Kempsey Ward](#) | [Malvern Hills District Council](#)

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

Mr Biddle confirmed two meetings had recently taken place:-

1. Youth Centre on 2nd February 2014 at 10.00 am
2. Community Centre 6th February 2015 at 10.00am with Kirkwells

The NDP Plan is progressing forward.

The next meeting to be reconvened with Kirkwells or Friday 27th February 2015 at The Community Centre at 10.00am

CRIME ALERT INFORMATION - NHW Alerts

Courier Theft Alert from Kempsey and Alfrick Safer Neighbourhoods Team

There has been an outbreak of courier theft incidents in our area. Victims (often elderly) receive a phone call from a person claiming to be a Police Officer. In the most recent incidents, the call has been from a male claiming to be a Detective Constable or Sergeant Thomas from the Metropolitan Police, based at Holborn Police Station. (Note that these details might change!) The bogus Officer explains that the victim's bank cards have been cloned and that they need to contact their bank and supply them with their secure account details. When the victim attempts to ring their bank back, the line is held open, and they disclose account details, PIN numbers etc to the offender. The person now claiming to be from their bank states that a courier is in their area, who will call to collect the cards. In some cases victims have become suspicious and terminated the calls, but in other incidents, bank details were disclosed and cards handed over to a "courier" who arrived at their house shortly after the initial call. Monies have then been drawn from bank accounts using the stolen cards. A description has been provided of the courier in one of these thefts: an Asian male, aged mid-twenties, of average height and medium build, with black wavy hair and dressed in a fluorescent jacket.

PLEASE NOTE - do not disclose secure bank details over the telephone. THE POLICE WILL NEVER ASK YOU FOR YOUR BANKING DETAILS. If in doubt - just hang up!

Courier theft incidents have been reported across the Kempsey and Alfrick SNT area as follows:-

At 18:00 on Sunday 11th January in Wheatfields Park, Callow End

At 20:00 on Sunday 11th January in Bowling Green Road, Powick

At 19:45 on Saturday 10th January in Jacomb Close, Lower Broadheath

At 20:30 on Saturday 10th January in Peachley Gardens, Lower Broadheath

At 18:00 on Saturday 10th January in The Greenway, Powick

At 19:20 on Saturday 10th January in Hallow Lane, Lower Broadheath

Other crimes:-

On Wednesday 7th January at 01:40 thieves forced off the padlock retaining the doors of a freestanding workshop in the grounds of a house in Upper Brook End, Kempsey. This set off an audible alarm and the thieves fled without gaining entry. CCTV showed two males, one tall, wearing a cap underneath a hooded top, loose-fitting jogging bottoms and trainers; the other, shorter, wearing a cap beneath a light coloured hooded jacket with dark material across the shoulders, loose bottoms and trainers. At least one of the males was wearing gloves.

0632S 070115

Theft-Kempsey

Between 20:30 on Wednesday 28th January and 09:10 on Thursday 29th thieves stole diesel fuel from vehicle parked on its owner's driveway in Napleton Lane, Kempsey. The offenders also opened all the windows of the vehicle, although nothing was taken from inside. Nothing seen or heard, no CCTV.

OIS Ref: 0145S 290115 Crime Ref: 22CC/5976V/15

Theft- Taylors lane

Between 09:00 on Monday 26th January and 09:00 on Tuesday 27th a bird scarer, chain lock and gas canister was stolen from a field in Taylors Lane Kempsey. Nothing was seen or heard.

OIS Ref: 0156S 270115 Crime Ref 22CC/5567A/15