

**MINUTES OF THE PARISH COUNCIL MEETING OF KEMPSEY**  
**PARISH COUNCIL HELD ON MONDAY 12<sup>th</sup> JANUARY 2015**  
**AT 7.30 PM. AT KEMPSEY COMMUNITY CENTRE**

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

**IN ATTENDANCE:** - District Councillors' Harrison & Rea plus 14 members of the public and David Cosgrove representing Worcester News.

1. Apologies: Councillors Bannister & Waller - Holiday – accepted  
County Councillor Sutton in attendance at Ripple Parish Council – received  
Cllr Stevens confirmed he would be arriving later.
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)
  3. Other Disclosable Interests (ODI) - Cllr Bowley declared an ODI in respect of agenda item 5
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. Minutes: The minutes of The Parish Council meeting of Monday 8<sup>th</sup> December 2014 having been previously circulated were signed as a true and correct record.
5. **BREACH OF CODE OF CONDUCT NOTIFICATION** – The Standards Committee of Malvern Hills District Council concluded from the meeting held on 19<sup>th</sup> December 2014 that Councillor R C Bowley had breached the Code of Conduct. The findings of The Standards Committee were reported to The Parish Council.  
Resolved The Standards Committee was satisfied that the Parish Council member had breached the Code of Conduct on at least one occasion and recommends that:
  - i. The parish council excludes the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings until the end of the Municipal Year 2014/15. The Committee acknowledged this had already been partially introduced by the Staffing Committee;
  - ii. The findings of this Committee be reported to the parish council for information;
  - iii. The parish council publicise the decision of The Standards Committee.
  - iv. A link to the Code of Conduct be issued to all parish councils within the District to remind them of their obligations.Cllr Bowley had the opportunity to express his views in which he also circulated a document to all members of The Council. A motion was put forward to the Council to accept four recommendations from The Standards Committee that the member had breached the Code of Conduct on at least one occasion. A recorded vote took place as followed.-  
Cllr Stevens – For  
Cllr Smith – For  
Cllr Hay – For  
Cllr Campbell – Against  
Cllr Blackwell – Against  
Cllr Geens – For  
Cllr Michael – For  
Cllr Patrick – For  
Cllr Gerrard – For  
Cllr Bevan – For  
Cllr Bowley – Against  
Resolution to accept the motion and implement with immediate effect.

**Action**

<p>6. Correspondence for Information:</p> <ol style="list-style-type: none"> <li>1. Correspondence from WCC Footpaths (Cllr Sutton and Tracy Sutton) – Referred to Environment Committee</li> <li>2. Thank you letter from Rev. David Hassell for contribution towards cost of printing magazine and upkeep of the churchyard – For Information</li> <li>3. Letter from Harriett Baldwin MP – Planning Issues in Kempsey – For Information</li> <li>4. Kempsey Tax Base 2015-16 – For Information</li> <li>5. Parishioner request - Grit Bin and the supply of grit for bin located in Napleton Lane – Referred to Environment Committee</li> <li>6. SME Solicitors – Cheryl Leyser is moving on from the firm and Mr. Jack Smith is to replace her.</li> <li>7. Letter from Colin Merrison – Deterioration of Kempsey Village - Issues to address - Referred to Environment Committee</li> </ol>	<p>Cllr Stevens</p> <p>Cllr Stevens</p> <p>Cllr Stevens</p>
<p>7. Reports from representatives: The following were received.</p> <ol style="list-style-type: none"> <li>1. Neighbourhood Watch - Crime Alert Information. Attempt Burglary – Old North Rd Between Wednesday 24th December at 16:00 and Thursday 25th at 09:00 unknown offender/s have caused damage to the lower section of the front door of a premise on Old Road North, Kempsey, causing an internal bolt to shear. The main door lock was undamaged and remained secure -so the offender/s did not gain entry to the dwelling. Nothing seen or heard, no CCTV. Incident Number: 0175S 251214 INTERFERENCE WITH MOTOR VEHICLE took place between 04:55 on FRIDAY 02-JAN-2015 and 05:05 on FRIDAY 02-JAN-2015 at MAIN RD, KEMPSEY Between the times stated, person(s) unknown have approached and attempted to gain entry to a motor vehicle parked on a driveway. The offender has caused damage to the rubber seal of the passenger door window in their attempt to gain entry but has been unsuccessful in doing so. No entry has been gained and no further damage has been caused. OIS Ref: 538-s-020115</li> <li>2. County Councillor - The report was noted</li> <li>3. District Councillor - The report was noted</li> <li>4. Neighbourhood Development Plan Update - The report was noted.</li> </ol>	<p><b>Action</b></p>
<p>8. Resolved - The Council approved in principle the draft NDP document (Third Discussion Draft) from Kirkwells. Comments are invited by 24<sup>th</sup> January 2015. It is anticipated the 4<sup>th</sup> draft will be used for pre-consultation purposes.</p>	<p>Cllr Smith</p>
<p>9. Report Update including Proposals from Committees:</p> <ol style="list-style-type: none"> <li>1. Recreation Committee: Cllr Campbell - Nothing to report</li> <li>2. Commons &amp; Hams Committee: Cllr Bowley <ul style="list-style-type: none"> <li>• A Committee meeting is to arranged shortly to proceed with the cattle.</li> <li>• The bye-law signage is in the process of being installed.</li> </ul> </li> <li>3. Community Centre: Cllr Geens <ul style="list-style-type: none"> <li>• Cllr Bevan had organized the plastering in the nursery laundry to a satisfactory standard</li> <li>• A new digital thermostat has been installed in Room 1.</li> <li>• A new projector screen has been purchased and installed in Room 1. Cllr Geens offered the old one to interested parties before it was disposed of. Cllr Hay expressed an interest in acquiring it. This was agreed.</li> <li>• A slate has become detached from the Community Centre roof due to high winds and is going to be replaced imminently.</li> </ul> </li> <li>4. Environment Committee: Cllr Stevens <ul style="list-style-type: none"> <li>• Expressed thanks to Cllr Geens &amp; Blackwell in helping with the installation of the memorial bench. He is in the process of organizing an Opening Ceremony to invite friends and family. Date to be arranged.</li> <li>• Thanks were expressed to Cllr Smith for her good work with the footpath volunteers and associated training course she has volunteered to attend.</li> </ul> </li> <li>5. Planning Committee: Cllr Patrick – Nothing to report</li> <li>6. F &amp; GP Committee: Cllr Michael - Nothing to report A request was made by Cllr Bowley to discuss an item in Confidential Session. This was agreed.</li> <li>7. Staffing Committee; Cllr Michael – Items to be addressed under agenda item 16 &amp; 17. Cllr Bowley also requested if he could raise points in Confidential session. This was agreed.</li> </ol>	<p>Cllr Bowley</p>

10. Chairman's Report – Quiet over the Christmas period except for his attendance at the Northern Area Planning Committee meeting where the Post Office Lane application was refused and the Kings Hill development was deferred over safety and access issues.
11. Finance:
1. Payments were approved as per schedule of payments list distributed.
  2. Bank Reconciliation Statement Balance – For Information
  3. Agreed budget and precept request of £88K for 2015/16 – For Information  
A suggestion made by Cllr Bowley that in future the precept should be considered in one month, analyzed and then approved at the following Parish Council meeting.  
He also suggested any Committees wishing to carry over monies from Financial Year 2014/15 to 2015/16 should place a request on the February agenda.
  3. Quarterly Budget Monitoring to December 2014 – For Information only
12. Resolved to rescind item 10.3 from December agenda which stated proposal to approve the budget and request precept for 2015/16 (£88k) and to reduce this by £2000 in respect of redecorating costs for the Community Centre. The precept was reduced from £88K to £86K
13. Planning:
- Planning Application No: 14/01692/S73  
Proposal: Application for removal or variation of a condition following a grant of planning permission 14/00286/REM  
Location: Land East of Main Road and North of Brookend Lane, Kempsey  
Comments: No Objections  
Cllr Smith declared an ODI as her property backs onto this application and refrained from voting.  
Cllr Patrick reiterated she held a dispensation in respect of this item allowing her to participate.
- Planning Application No: 14/01731/AGR  
Proposal: Proposed new agricultural access track  
Location: Land at Kerswell Green, Worcestershire, WR5 3PF  
Comments: No comments required from The Parish Council
14. APPROVED - To amend the date of the Annual Meeting of The Council scheduled to take place on Monday 11<sup>th</sup> May 2015 to Monday 18<sup>th</sup> May 2015 due to Elections taking place.
15. To accept the Draft Emergency Plan – Item deferred until February 2015 agenda.  
A copy is to be issued to Cllr Harrison at his request.

Under The Public Bodies (Admission to Meeting(s)) Act 1960 The Council resolved to exclude the public and press from agenda items 16 & 17. as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Meeting entered into confidential session 9.28pm

16. Resolved - The Contract of Employment for the Clerical Assistant was accepted.
17. Cost of Living Increase – Approved to accept National Pay award negotiated by The National Joint Council and is recommended to all councils which use the local government national conditions of service as the terms and conditions of employment for their employees.
18. Other Matters (at the request of Cllr Bowley from Agenda Items 9.6 & 9.7)
- Cllr Bowley made reference to the F&GP Committee Minutes of 17.11.14 that the information displayed on the noticeboards and website was not accurate. The Clerk confirmed this information was accurate but commercially sensitive /private information had been redacted for the benefit of The Public, on the advices of CALC. Cllr Bowley to seek further clarification.

Cllr Bowley made reference to a question he raised concerning the working practices of the Parish Office and upgrade its services to both the Council and Parishioners, regarding the failure of The F&GP Committee to respond to The Council as ordered by Minute 18 of the October 2013 meeting. It was reiterated these items had already been addressed or were factually inaccurate.

Meeting Closed 9.58 pm  
Sharon Baxter  
Clerk

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

## **PUBLIC QUESTION TIME**

### **Mr Bennett – Napleton lane (EKAG)**

Highlighted that a satisfactory result had been reached in that the planning application for Post Office Lane had been rejected at the last Northern Area Planning Committee Meeting due to safety and access issues. He expressed thanks to Cllr Michael who delivered a passionate speech, District Cllr Harrison for his systematic approach in moving the motion, Cllr Patrick for the procedural advice and the Parish Council as a whole. He reiterated that EKAG are happy to assist with the NDP.

### **Pat Whitehead – The Limes**

Requested an update on the opening of the Post Office. The Chairman confirmed we do not have any knowledge of this but enquires could be made.

### **Mrs J Cleo – Brookend Lane**

Congratulated Parish Councillors for the work they had carried out.

Highlighted that she was saddened by the increase in precept for 2015/16 and the process which she felt very rushed and not given thought to.

Cllr Michael confirmed there is an agenda item to consider reducing the precept and offered reassurance that a clear transparent process is followed throughout the whole process.

### **Mr M Biddle – Brookside**

Updated The Parish Council concerning the proposed cemetery extension confirming further communication (details of controlled water and preliminary risk assessment) had been sent to MHDC and The Environment Agency. Any queries please contact him directly.

Cllr Michael expressed appreciation for all the work Mr Biddle had carried out in respect of the graveyard extension planning application.

He also confirmed had attended the Northern Area Planning Committee meeting. He highlighted should the Post office Lane application go to appeal representation will be required.

### **Cllr Harrison – Brookend Lane**

Item 15 - His name is on the draft emergency plan however he has not received a copy. Apologies were given for this oversight and a copy will be issued to him immediately.

Item 11.3 A request was made to amend Standing Orders to allow the draft budget to be circulated to allow time for consideration before any decision is reached.

#### *Questions:-*

General Budget F&GP Committee £5K is indicated against the graveyard extension – He is under the impression this could be obtained under section 106 monies from the developers – hence would reduce the budget.

C & Hams – We receive money from Natural England for the maintenance of Ashmoor Common. We purchase cattle to carry out this purpose. Why is money allocated in the budget for both purposes?

Cllr Bowley explained to Cllr Harrison confirming the cattle are the best method to maintain Ashmoor Common without creating damage.

We are in process of engaging a consultant who is carrying out a management programme.

All work on Ashmoor Common is very expensive and specialist equipment is required. We have legal responsibilities to look after this SSSI site.

Monies for the management of Ashmoor Common are ring fenced in a specific reserve account.

We are trying to build a pot of money to address all issues.

Cllr Harrison highlighted that he was not happy with the increase in the precept for 2015/16.

Highlighting we have a healthier bank balance than last financial year.

Cllr Michael confirmed the bank balance complies with guidelines.

# County Councillor – R Sutton

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Monday 12<sup>th</sup> January 2015

Apologies from County Councillor Sutton who is in attendance at Ripple Parish Council this evening.

- Divisional Funds are still available which need to be applied for by the end of the financial year.
- He would like to offer his support in respect of Bob Bullock's Memorial Bench.
- Night Time Closures of M5 and traffic diversion along the A38  
Dates:-  
Northbound M5 Junction 8 to 7 from 6<sup>th</sup> January 2015 to 24<sup>th</sup> January 2015  
Southbound M5 Junction 7 to 8 from 27<sup>th</sup> February to 26<sup>th</sup> March 2015

Please refer any queries to The Highways Agency not County Council on 0121 687 8586

Any queries please do not hesitate to contact him.

# District Councillor – D Harrison.

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Cllr Harrison wished all a Happy New Year

- He commented on the excellent job of the memorial bench in memory of Cllr Bullock.
- He expressed his thanks and appreciation to residents of Kempsey who had offered support at the Northern Area Planning Committee Meeting in respect of the Post Office Lane Planning application which was refused and Kings Hill Development deferred.
- An archaeological dig is being carried out behind The Limes. The access entrance from main Road/Brookend Lane is creating problems due to ground conditions of the field being wet and boggy.
- Road works are to take place along A38 in the next three months involving a traffic light system.
- The SWDP process is to commence 13/01/15.

## **Questions**

Cllr Stevens asked if Planning permission was required in respect of the installation of the broadband boxes being installed. Cllr Harrison confirmed it was not required.

Cllr Harrison provided an update concerning the broadband box located outside the Parish Hall.

Cllr Geens asked will we receive any notification as to when broadband will be up and running in Kempsey?

Cllr Rea confirmed this is in the remit of Openreach however regular surveys/updates are available on line.

# District Councillor – A Rea.

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- Expressed his thanks to the Parish Council and public for their attendance at the Northern Area Planning Committee Meeting which took place on 7<sup>th</sup> January 2015.
- There is a small amount of monies available (in the region of £250) to use by the end of the Municipal Year.

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

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## Report

1. NDP meeting held on 06/1/15.  
Regarding the above, at which David Clarke from MHDC Planning Department attended in addition to the numbers
2. Cllr Ann Smith gave a PowerPoint presentation, which was suggested as the best way of enabling the general public to be given some understanding of the NDP at a public consultation meeting to be arranged in the future.
3. You will be aware that Cllr Ann Smith is addressing the council in the meeting regarding the draft NDP of which all members have had a copy and any comments will be taken on board and presented to the next NDP meeting, due to be held on 02/02/15 in preparation for the meeting with Kirkwells on 06/2/15
4. Any obvious spelling and grammatical errors will be amended and any answers to queries from Parish Council and working party members will be answered accordingly.

M Biddle 12/10/15