PARISH COUNCIL Kempsey

MINUTES OF THE PARISH COUNCIL MEETING HELD ON MONDAY 14th SEPTEMBER 2015 AT 7.30 PM. AT KEMPSEY COMMUNITY CENTRE

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

IN ATTENDANCE: -
District Councillor Harrison plus 9 members of the public.

1. Apologies: Councillor Bannister (Personal) - accepted
   District Councillor/Parish Councillor Michael (Personal) – received/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 Hodgkins and Cllr Hanmer declared an ODI in respect of agenda item.5.6 as they personally know Mr Scurrell.

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 10th August 2015 having been previously circulated were signed as a true and correct record.

5. Correspondence for Information: **Action**
   1. Freedom of Information Request 13.07.15 from Mr.R.C. Bowley – letter dated 10.08.15
   2. Complaint Freedom of Information Requests – letter dated 17th August 2015 – from Mr.R C Bowley
   3. Freedom of Information Act – Staff Committee Minutes – letter dated 17th August 2015 from Mr. R C Bowley
   4. FOI Request –Your letter 17th August 2015 - Letter dated 17th August 2015 from Mr. R C Bowley
   5. Letter from Mr. Bowley dated 25/8/15 re: Your letter 17th August 2015 responding to mine 24th July 2015
   6. Letter from Mr. Scurrell – Tree at Playing Field – to be addressed by Recreation Committee **Rec Committee**
   7. Resignation Letter from Mr. Roy Clarke – Parish Lengthsman – to be addressed by Environment Committee **Environ Committee**
   RESOLVED: To distribute incoming and outgoing correspondence (if available) to all Councillors following a request from Cllr Waller.

6. Reports from representatives: To receive an update:-
   1. Neighbourhood Watch - Crime Alerts Information – The report was noted
   2. County Councillor's Report – No report available.
   3. District Councillor's Reports – Cllr Harrison – The report was noted.
   4. Neighbourhood Development Plan (NDP) Update – The report was noted.

	Action
7. Committee Report Updates and Proposals	
1. Environment: Cllr Smith	
a. The closing date for the Part Time Assistant Lengthsman Vacancy has now expired. Cllr Smith confirmed there are two potential applicants. The next stage is to interview.	AS
b. **RESOLVED**: To advertise for a replacement for our current Lengthsman following his resignation.	AS/Clerk
Work at the Rocky in respect of annual strimming is unsatisfactory. Cllr Smith is liaising with the contractor to resolve this issue.	AS
2. Commons and Hams: Cllr Waller	
a. Cllr Bannister is pursuing the cattle contract concerning Mr Gove and the cattle placed on Ashmoor Common.	MB
b. Cllr Bevan confirmed no written quotations have been received in respect of production and fixing of Emergency access notices for Commons. This item will feature on the next agenda.	DB
c. Horses on Kempsey Common – A Commons & Hams meeting is to be arranged shortly where this item will be discussed.	CW
d. **RESOLVED** : To apply to the County Court Money Claims Centre for recovery of £192.00 from Teal Turf. In the first instance Cllr Waller is to consult with the Open Space Society concerning the legal obligation.	CW/ Clerk
e. **RESOLVED**: To issue invoices indicating the revised allotment rents applicable from 29th September 2015 as advised by Yan Gittins from Fisher German.	Clerk
Hams issues- Mr Quibell had been reminded of his responsibility to mow the Ham by 12th August 2015. As this request has not been actioned, Cllr Waller to enquire with The Open Space Society if the Parish Council can mow this area.	CW
In August, Cllr Geens asked if the Himalayan Balsam and other growth located on the river bank could be eradicated. Cllr Waller confirmed this was a footpath issue/owners responsibility. This is still to be looked into.	
Items to be addressed on the next Commons & Hams Committee agenda include the Red Devon Cattle and car parking issues by the Farmers Arms (Reports of horses hooves on cars).	Clerk /CW
3. Recreation: Cllr Frazer-Cann	
a. Proposal to accept a quotation to supply and install football ball stop fencing (and apply for any available funding from MHDC) – Item deferred whilst an issue with the cricket ball stop fencing be addressed. Cllr Frazer-Cann and Cllr Hodgkins to liaise with the farmer and investigate the costs to install two stiles/gates and report their findings at the next meeting.	TFC/BH
b. **RESOLVED** : Permission was granted from The Parish Council for an overhanging tree in Elgar Drive to be trimmed by a professional tree surgeon as per letter request in correspondence (Item 5.6)	Clerk
For Update	
Cllr Frazer-Cann confirmed the location of the new gym equipment complied with the football pitch size regulations. Therefore, this does not need to be moved.	
The junior and senior football pitches have been marked out both within the same pitch area.	
There is no room available to place a large storage container over by the Youth Centre building.	
4. Community Centre: Cllr Bevan	
Work to widen the driveway entrance is to take place on Monday 12th October 2015. This will result in 2-3 hours disruption on day of laying.	
Cllr Bevan and Geens to investigate three leaks identified in the nursery building tomorrow.	DB/TG

5. Planning: Cllr Patrick

Action
Clerk

RESOLVED : To donate £1K to EKAG to assist with financial support towards engaging a professional planning consultant in respect of planning application no: 14/00625/FUL – Appeal by David Wilson Homes. (on the proviso the money donated is specifically used for this purpose)

The following planning applications were discussed:-

Planning Ref: 13/01617/OUT AMENDED
Proposal: Outline application with all matters reserved except for access, for a mixed use development comprising residential development up to 255 dwellings, employment (B1) (b and c), B2 and/or B8 access, footpath, cycleway and highway infrastructure, pedestrian/cycle bridge over A4440, public open space, landscaping and associated development and drainage.
Location: Land North of Taylors Lane, South of and part North of A4440 Broomhall Way, Worcestershire
Comments: No further comments to add

Planning Ref: 15/01102
Proposal: Proposed alterations to frontage of garage with reopening of forming access
Location: Baynall Garage, 19 Main Road, Kempsey, Worcester, WR5 3PA
Comments: No objections

Planning Ref: 15/00799/FUL
Proposal: Proposed detached dwelling house and associated access works on the side of garden of 1 Broomhall cottage
Location: 1 Broomhall Cottages, Broomhall, Norton WR5 2NX
Comments: No objections, however as the development is directly opposite the entrance to St Peters Garden Centre, to avoid on road parking, the 4 onsite parking spaces should always be kept available to residents and their visitors.

Planning Ref: APP/J1860/W/3005382
Proposal: residential development for 74 dwellings including 30 affordable dwellings (40% affordable housing provision), provision of SUDS and associated works.
Location: land at Post Office Lane, Kempsey
Appellant: David Wilson homes
Appeal change of procedure.
It was agreed that the chair of planning would speak at the appeal to reinforce the strength of opposition to this application. A meeting will be held with EKAG and our District Councillors to plan a strategy to fight this appeal.

Planning ref: 15/01025/LBC
Proposal: Conversion of two brick barns adjacent to the listed building to form two separate dwellings, including demolition of modern steel frame structures attached to the barns; erection of two detached single-storey garage buildings.
Location: Upper Broomhall Farm, Norton Road, Broomhall, Worcestershire, WR5 2PE
Comments: No objections

Planning ref: P15L0319
Worcester City Council
Proposal: Use of Land for car boot sales to be held on more than 14 days per year.
Location: Land at Broomhall Way
Comments: No objections provided that sales are only held on Sundays and Bank Holidays and all parking is on site. We would also like to see no right turn onto site from A38 South to avoid congestion.

For Information
Application No: 15/00882/HOU
Proposal: Oak framed garage
Location: Open Barn Farm, Main Road, Kempsey, Worcestershire, WR5 3LW
APPROVAL OF PLANNING PERMISSION

	Action
Cllr Patrick confirmed a meeting is take place on Wednesday 16th September 2015 at 7.30pm with members of EKAG and District Councillors to discuss a strategy in respect of the appeal by David Wilson Homes.	ANP
6. Finance & General Purposes: a. **RESOLVED:** To amend standing orders and include in the agenda description changes to Meetings, to state:- g. add restricted to 5 minutes (with a caveat ' at Chairman's discretion') g2. Points raised by a parishioner should be concise and to • raise new issues • request an update on a previously raised matter or • offer relevant new information on an existing issue. Reaffirming previous information is a waste of council time and the chairman has the right to terminate the discussion.	Clerk
RESOLVED : To amend standing orders in respect of the Staffing Committee 15.c.iii. To state:- The Staffing Committee shall consist of the Chairman, Vice-Chairman of The Council, two members appointed by the Council and one member selected by the Parish Clerk Please note an agenda item will feature on the October agenda to appoint one further member.	Clerk
RESOLVED: To amend standing order 15.c.v To state – The Chairman and Vice-Chairman of the Council will not serve as members of Standing Committees, with the exception of Finance & General Purposes, Planning and Staffing Committees. The Parish Council Chairman may, at his discretion, however, sit on the Commons & Hams, Community Centre, Environment and Recreation committees as a non-voting member. Freedom of Information Act 2000 – Item withdrawn	Clerk
b. **RESOLVED**: To adopt a policy for management of unreasonable complainant behaviour – exact wording to be agreed upon.	AS
c. Proposal to appoint a solicitor to action land registration for 4 plots of land identified – Item withdrawn. **RESOLVED:** Clerk to instruct SME Solicitors to copy electronically the deeds onto an archival quality disk at a cost of £100.00 (Parish council will supply the disk courtesy of Cllr Waller). It was agreed that all land to include the Community Centre, Recreation ground, Allotments and The Rocky be revalued obtaining three comparable quotations. Once equipped with this information to then approach three solicitors to obtain comparable costs.	Clerk
d. Financial Services Compensation Scheme, Investments and Reserves limit has been reduced from £85K to £75K – for Information Only	
e. The External Audit Report 2014/15 has been completed at a cost of £400 plus additional fees of £86.50 due to costs generated by a parishioner in respect of emails/telephone calls.	
7. Staffing Committee: Nothing to report.	
8. Chairman's Report: Cllr Geens • Meeting with CEO WCC Clare Marchant to discuss issues within the village to include bus stops, access to Ketch roundabout, path along A38, hedges and cars parked at the Ketch Field. • Now that the permanent VAS sign has been installed, the moveable temporary VAS location, southbound at A38 Worcester Road on lamp post 209 near the junction with Brookend Lane, will be re-located across the road to display northbound, as we see a high incidence of excessive speed up that hill. • Speeding - Regarding the intermediate red bands across the carriageway through Kempsey; the traffic management team confirm that according to the current regulations they are not allowed to put intermediate 30mph roundel markings onto red bands in areas which have street lighting. Severn Stoke and Clifton have no street lights which is why they have roundels in place. The intermediate red bands may have been originally installed by the Highways Agency (the A38 used to be a trunk road maintained by the Highways Agency). Under the current regulations the intermediate red bands should not be there at all. • Code of Conduct Training – Proposed date for in-house training on Tuesday 3rd November 2015. Time to be confirmed. Councillors to confirm their availability with the Clerk who will confirm booking.	Clerk

	Action
8. Finance 1. Payments of accounts as per schedule were authorized except for invoice from Wild Contracts for £200 until the issue concerning the annual strimming of the Rocky has been resolved. 2. Bank Reconciliation Statement Balance – For Information Only	
9. Motion to follow the Government's Transparency Code for Parish Councils in relation to the publication of draft minutes of Council and Committee meetings- Item deferred. Clerk to draft a policy confirming the procedure.	Clerk
10. Cllr Geens asked the appointed members if they were content to remain as Trustees having viewed the Constitution documents of the Trusts. They confirmed this was the case.	
11. Update on the Youth Centre *(Cllr Geens)* Community Youth Centre – Cllr Geens briefly summarised some background information and the present situation. The question being would the Youth Centre be sustainable in the long term? **RESOLVED**: To rescind the original members of the Working Party and to set up a new Working Party to consider the future/viability of the Youth Centre. New members to include the following:- Cllr Smith, Cllr Gerrard, Cllr Michael, Cllr Geens, Cllr Blackwell, Cllr Bevan and Mrs Clee. (but not limited to)	TG

Meeting Closed at 10.22 pm
Sharon Baxter
Clerk

Signed…….Chairman……..Date

Standing Orders were adjourned for Public Question Time

PUBLIC QUESTION TIME

Terry Dillingham representing EKAG – please refer to correspondence attached

Mrs Joy Clee – Brookend Lane
Praised the efforts of Parish Councillors', District Councillors' and County Councillor in attending to small jobs around the village. This work is appreciated and hasn't gone unnoticed. Thank you.

Standing Orders were reimposed

County Councillor – R Sutton

No report available

District Councillor – D Harrison.

- Croome Road M5 Junction 7 works scheduled to end September 2015
- Ketch roundabout – road markings have been reviewed for safety made
- Bus stop near Windmill Lane is no longer there. Cllr Harrison has lodged complaints with WCC to reinstate it and is still awaiting a response.
- New bus timetables are available – Timetable indicates a full Sunday bus service from 26th December 2016
- Flood Defence tour has taken place – very successful
- Meeting scheduled for Monday 19th October 2015 to meet District Councillors at the Parish Hall from 9.30-10.30am.

Cllr Harrison provided an update in respect of SWDP referring to the significant gap between Kempsey and Worcester including the two developments for the North of the Village (Kings Hill and Saxon Meadows).

Other parts of the document highlighted were:-
SWDP 45 1a – not included as part of the main document only as an appendix.
New plans show the shops situated on the A38 have now gone.
Density of the houses to increase.
Gypsy/travellers pitches.
A discussion took place surrounding the 5 year land supply

SWDP Consultation to take place on 22nd September 2015 7pm at MHDC where members of the public can comment on the amendments only. Cllr Harrison confirmed he would be supporting this plan.

Consultation Period 9th October to 20th November 2015

Approval of plan by Inspector February 2016

Government Minster June 2016

Complaints addressed concerning work at Saxon Meadows – working out of hours at weekends.

District Councillor – J Michael.

No report available

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

Comments have been returned from MHDC concerning amendments to NDP. A small meeting will be convened shortly.

To date expenditure is £6886.92 with approximately £13K remaining.

Crime Alert Information- For notification

0272S 050915 22CC/63623E/15
This criminal damage offence occurred between 20:30 on Friday 4th September and 10:35 on Saturday 5th in Kings Hill, Kempsey.
The victim's vehicle, a Volvo saloon, was parked in a designated parking space close to their home in Kings Hill. The offender(s) have poured a thick whitish substance resembling a flour paste over the passenger side wheel and door panel; this has dried on the vehicle and has so far resisted attempts to wash it off. Nothing was seen or heard, no CCTV.

Kempsey Parish Council Meeting 14/9/2015

Public Question Time

To Chairman and Members of the Kempsey Parish Council

Proposed Housing Development Post Office Lane –Application 14/00625/FUL

Appeal by David Wilson Homes

Terry Dillingham speaking on behalf of the East Kempsey Action Group (EKAG)

Chairman and Members of the Parish Council I would like to raise a further matter relating to the Planning Appeal by David Wilson Homes in respect of their proposed housing development off Post Office Lane

At your June meeting you agreed to grant £1000 to EKAG to help them engage a Traffic Consultant to prepare their case against the David Wilson Homes appeal. At that time the appeal was to be heard under the Planning Inspectorate written presentation procedure. At your July meeting it was reported under correspondence that my colleague Martin Bennett had informed you that MHDC had taken on the full costs of engaging the Traffic Consultant (You will recall he had been identified and used by EKAG in the preparation of our submission at the initial planning application stage.) At your 10th August meeting no further update on this position was required. However that position has significantly changed and the funding of £1000 originally agreed by Kempsey Parish Council is once more essential to the preparation of the EKAG case.

Following a submission from David Wilson Homes the Planning Inspectorate determined that the appeal procedure to be used should be conducted under their hearings procedure not the written representations procedure. MHDC informed objectors of this change by letter on the 19th August. The date for the hearing is set for the 27th October. That change of procedure is very significant and EKAG feels it must respond to this new challenge. It actually changes the whole ball game. If you will forgive the analogy we have moved from a non - league game of football to the premiership-from Worcester City to Aston Villa. Statistics about the outcome of appeals by developers –for whatever reason-

appear to show that the such a hearing favours developers like David Wilson Homes. From being a fairly tight procedural process totally dependent on submitted material and dealt with within the Inspectorate, this will now be determined by arguably a more complex procedure in a formal hearing with the submitted material but also witnesses being able to speak , questions posed, values exposed, new issues raised, points made well or otherwise, and thinking, questioning , and responding on ones feet. Be sure David Wilson Homes will spare no effort or resources to get their case presented in a slick, professional, organised and persuasive manner. They will have professional representation, they will have a planning consultant or even a team of consultants . MHDC, KPC and EKAG will need to be independently and jointly very well organised to fight this. An important strength we have is that there are three of us; two elected, representative, statutory bodies and an active pressure group representing an even more local community. Whatever the strength of our case though -and our understanding of the hearing procedure - it is the presentation, the coherence and co-ordination of that strong case which we have which is essential. MHDC will have a Traffic Consultant as part of their team but whilst the traffic issues and the other planning issues are very important the procedure we now have to work through is critical. We need to ensure that the right balance is struck in presenting and arguing through the traffic issues, the 5year housing supply, the Neighbourhood plan, the SWDP, the criteria of the infamous Section 32 and the impact of the other approved developments. EKAG is convinced that the Planning Inspectorate, having decided to use this hearing procedure, demands that we must engage a further Consultant- a Planning Consultant (not a Traffic Consultant not a duplicate of what MHDC will have to assist them) but a Planning Consultant, an expert in the process of the hearing procedure and experienced in presenting a strong case such as ours in a structured , organised, co-ordinated, comprehensive, balanced and effective manner.

EKAG has therefore identified and provisionally engaged an experienced Planning Consultant to prepare our case for the hearing ,to manage us at the hearing to ensure we present our case as strongly as possible and where

necessary to co-ordinate a goodness of fit between our submission and the MHDC,KPC submissions. The Planning Consultants fee for up to an estimated four days' work including attendance at the hearing will be in the region of £3000 plus VAT.

I am therefore formally requesting that you allocate the previously agreed £1000 to EKAG as soon as possible to enable them to put that funding towards the fees of engaging this professional Planning Consultant and help achieve the aims that KPC and EKAG have stood for from the outset of this fight:-

to protect the safety of all our children, parents and our elderly on their way to and from school

and

to see our village developed in accordance with an agreed long term sustainable plan

Thank you