

**MINUTES OF THE PARISH MEETING OF  
KEMPSEY PARISH COUNCIL HELD ON MONDAY, 10<sup>th</sup> JUNE 2013  
AT 7.30 PM. AT KEMPSEY COMMUNITY CENTRE**

**PRESENT:** - Cllr Michael (Chair) ,Cllr Gerrard, Cllr Hart, Cllr Campbell, Cllr Patrick, Cllr Bowley, Cllr Stevens, Cllr Rea, Cllr Bannister & Cllr Martin.

**IN ATTENDANCE:** - Clerk, County Councillor Mr. Sutton, District Councillor Mr. Harrison and 12 members of the public.

1. Apologies: Cllr Geens (Holiday), Cllr Blackwell, (Holiday) and Cllr Hay (Personal) – all 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): 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.
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4. Having been previously circulated the minutes of Monday 13<sup>th</sup> May 2013 were signed as a true and correct record.
5. Correspondence: Noted as per list.
6. Reports from representatives:
  - 6.1. Police Report: The following crime statistics were reported for May 2013
    - 7 incidents of ASB, not all youth related.
    - 0 Assaults
    - 0 Burglary
    - 0 Criminal Damage to a fence
    - 1 Theft
    - 0 Vehicle Crime
    - 2 RTC damage onlyThe Police report also detailed incidents that had recently occurred at the Rocky, confirming tree damage, rubbish removal from skip and noise nuisance. A Drink/Drive Campaign took place on Sunday 9<sup>th</sup> June in which 30 cars were stopped. A Drugs warrant was executed at Church Street which was also very successful.
  - 6.2 County Councillor's Report: Mr. Sutton reported on
    1. Email received from Cllr Stevens regarding the relationship between Kempsey Parish Council and County Council. He confirmed a document had been prepared in which he would discuss in further detail at a separate meeting.
    2. A38 footpath (30mph North end of the village to Clerkenleap) Suggestion overgrowth to be cut back by young probationers. This is being looked into.
    3. A traffic regulation order is to be place at the bus stop outside the Community Centre to alleviate parking problems.
    4. Following a complaint about the state of The Footpath on A38 opposite Napleton Lane is was established tree roots growing from property are posing a problem. This will be addressed to the landowner.
    5. The VOSA road application license at Bestman's Lane has been withdrawn.
    6. Mr. Brienza is pursuing moving the 30MPH speed sign located at the south end of the village

on Old Road South be moved 300 yards further south.

7. Referred to the complaint concerning the state of the pavements in Oakfield Drive. This is to be assessed and prioritized.

Cllr Stevens thanked Mr. Sutton and confirmed he was looking forward to working with him. He also expressed his thanks to Mr. Brienza for adding Broomhall to the list of designated areas for the speed sign.

### 6.3 District Councillor's Reports: -

1. Cllr Rea: Reiterated the position with the SWDP application. He also highlighted the Public Notices Web Page available on the Malvern Hills District Council website to aid residents with the latest public information available.

2. Cllr Harrison: Expressed his disappointment in the Malvern Gazette Advert featuring an SWDP article being inaccurate. He confirmed County Cllr Rea was investigating the signage in the Rocky for an alcohol free zone. He also confirmed there were still a few teething problems in respect of the Wheelie Bins i.e. Assisted Bin Collection/Bin sizes.

Cllr Rea clarified that he had received a request from the Environment Committee to investigate the signage situation and will update the parish accordingly.

### 7. Reports from Committees: (Update Only):

- 7.1 Recreation Committee: Cllr Campbell confirmed that notices had been placed by the District Council at every entrances to the recreation area to advise parishioners about dog waste /litter.

- 7.2 Commons and Hams Committee: Cllr Bannister confirmed six cows had been purchased and were grazing on Ashmoor Common. A tree had fallen over onto the cattle corral located on Ashmoor Common. A derogation request needs to be submitted to Natural England in respect of spraying the thistles.

Cllr Bowley confirmed there was still rubble remaining on Normoor Common which a local resident has kindly agreed to clear on the approval of the Parish Council. The Council granted permission for the rubble to be removed. Cllr Bowley will communicate this decision.

- 7.3 Community Centre: Nothing to report

- 7.4 Environment Committee: Cllr Stevens confirmed the last Environment Committee meeting had to be abandoned. However, residents' were given the opportunity to express concerns including the BMX track, making the Rocky an alcohol free zone and placing some dog signage.

Cllr Stevens also confirmed the work carried out by the Lengthsman for the month which included siding out, cutting hedges and branches at various locations. The speed sign has been repaired and a suitable location identified at Broomhall.

- 7.5 Planning Committee: Cllr Patrick confirmed a formal response has now been submitted to Mr Cresswell.

- 7.6 F&GP Committee: Nothing to report

8. Chairman's Report: Cllr Michael confirmed Kempsey Church Fete is to be held on Saturday 6<sup>th</sup> July 2013 at 2pm. He reiterated comments concerning the situation with the Neighbourhood Development Plan and confirmed a Working Party should be formulated to respond accordingly and to maximise money potential. This will be open to both parishioners and councillors who are willing to participate. He also confirmed the submission of the SWDP has now been submitted to the Secretary of State. Cllr Bowley questioned the situation regarding the Emergency Plan. Cllr Michael confirmed an item would be placed on the July agenda for further update.

### 9. Commons & Hams (Cllr Bannister)

1. This item to seek solicitor's advice concerning the bye laws, rules and regulations of Common land to enable outstanding issues to be resolved was withdrawn opting to liaise with DEFRA in the first instance.

2. After reaching an agreement with Croome Estate to share 50% of the costs The Council agreed to proceed with repairs to a small section of ditch on Ashmoor Common costing £100.

### 10. Community Centre

1. The Council agreed to redesign the parking layout at the rear of the Community Centre to allow for some additional parking spaces.

2. Motion to approve designated parking space for members of Parish Council Staff. – This item was withdrawn.
11. Environment Committee
1. The Council awarded the contract to R P Joinery to supply and install two benches in the Rocky costing £390 per bench to include supply and fit.  
Cllr Bowley made reference that all councillors should be fully briefed and requested that more information should be circulated with the agenda to aid understanding and decision.
12. Finance:
- 12.1 Payments as per schedule were authorized for payment.
  - 12.2 Bank Reconciliation Statement Balance – For Information.  
Cllr Bowley highlighted that The Internal Auditor should provide a verbal/written report to the Council as a requirement as per Financial Regulations 4.5
13. Planning Application: To consider planning applications for comment:  
Worcestershire County Council  
Application Reference: 13/000028/CM  
Applicant: Severn Trent Water  
Proposal: Proposed new sewage pumping station required in connection with first time sewerage  
Location: Norton Parish Hall, Wadborough Road, Littleworth, Worcester, WR5 2QB  
The Planning Committee will meet to compose a reply to be submitted by 21<sup>st</sup> June 2013
14. Motion to approve Terms of Reference for the NDP Working Party.  
The Council voted to accept Terms of Reference for the NDP Working Party with an amendment to Item 10 to include an audit trail maintained by the Parish Clerk and a separate accounting column for NDP Income and Expenditure.
15. To discuss IT Connectivity and Electronic Documentation for Kempsey Parish Councillors.  
Cllr Michael reiterated that some thought needs to be given as we are moving into an electronic age. This is to be discussed at a later date.
16. Proposal from the Planning Committee to request that an approach be made to MHDC asking them to rethink their decisions on ‘Electronic Consultation on Planning Applications’ on the grounds of accurate vision, scope and scaling of future applications.  
This item was withdrawn.
17. The Council agreed to grant Mr. Adams permission to access his property via the Rocky. They requested if we ask him to consider a donation to the late County Councillor Bob Bullock’s memorial bench and also if the contractor would clear the silt located by the bridge.
18. The Council agreed to adopt Member-Officer Protocol
19. Motion to adopt Bullying, Harassment and Whistleblowing Protocol  
An amendment to extend the wording he/she throughout this document was agreed.  
The Council then voted to accept this protocol.
20. Motion to rescind Special Leave Policy – As this item requires updating it was withdrawn
21. Motion to rescind Disciplinary Procedure - As this item requires updating it was withdrawn.
22. Motion to update Publication Scheme – The Council agreed that an amendment be made for the Proper Officer to redact the following types of information: - Commercially sensitive, financial, personal or private, Cllr Bowley expressed concerns as to who could redact this information and requested a recorded votes to take place for this item. These were recorded as follows:-

Vote for amendment		Item with amendment
Cllr Rea	For	For
Cllr Stevens	For	For
Cllr Hart	For	For
Cllr Campbell	For	For
Cllr Michael	For	For
Cllr Patrick	For	For
Cllr Gerrard	For	For
Cllr Martin	For	For
Cllr Bowley	Against	Against
Cllr Bannister	Abstain	Abstain

23. The Council agreed to update Document Retention Policy wording for Section 4.b & section 4.c for clarity

24. The Council resolved to update financial regulations 3.4 wording for clarity to

3.4 The Clerk may incur expenditure on behalf of the Council, and shall report the action to the Council as soon as practicable thereafter, for work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £250. Expenditure items that would be considered necessary are, but not limited to:

- i Repair of damage or vandalism to Parish Council assets or property
- ii Removal of waste from Parish Council assets or property
- iii Resolve a Health or Safety issues in regard of Parish Council assets or property
- iv Graffiti removal from Parish Council assets or property

25. The Council approved a Legal Advice budgetary item and to delegate powers to the clerk to incur expenditure by establishing an F&GP budgetary item of "Legal Advice" with an amount of £3600 and inserting the following text into Financial Regulations under section 3

3.8 The Clerk may incur expenditure on behalf of the Council, and shall report the action to the Council as soon as practicable thereafter, for legal advice or opinion in regard of Parish Council business if:

- i such provision has been made in the Finance & General Purposes Committee budget
- ii the expenditure is no greater than the remaining budgetary balance
- iii the expenditure is approved by the Council Chairman and Vice-Chairman or approved by a Committee Chairman and either the Council Chairman or the Vice-Chairman

The Council resolved to discuss items 26, 27 & 28 in confidential session to exclude the public and press as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted - The Public Bodies (Admission to Meeting(s)) Act 1960

26. Motion to accept terms of reference for Working Party to be chaired by Cllr Hay as previously agreed – In the absence of Cllr Hay this item was withdrawn.

27. Kempsey 2020 – To Discuss Council Strategy Development – Due to time constraints this item was deferred to the July agenda.

28. The merits of additional amenity land at the Lower Ham were discussed.

Meeting Closed 9.55pm  
Sharon Baxter  
Clerk

SIGNED CHAIRMAN .....

DATE.....

Standing Orders were adjourned for Public Question Time

PUBLIC QUESTION TIME

Mike Biddle – Chairman Neighbourhood Development Plan

Mr Biddle confirmed a formal application has been submitted to Malvern Hills District Council encompassing the whole parish proposals under the NDP. He confirmed he along with the Chairman and District Councillors had recently attended a meeting at MHDC where he met with CEO and Amanda Smith (Open & Green Space Officer). They are putting forward acceptance of proposition along with supporting documentation. The NDP Working Party is taking on the task of carrying out a master plan exercise to provide a list of facilities and amenities required by the parish along with evidence to support its adoption. Amanda Smith gave an example that 120 new dwellings generated £552K towards open space amenities to serve the development. Based on these figures Mr Biddle reiterated any negotiations made should refer to the normal contribution rate. This would maximise any spending potential to create new amenities for the future i.e. new Community Centre, Playing Field plus any other amenities.

Rumour that cut backs are being made to the bus service that serves Upton. Can we please try and keep the hourly bus service through Kempsey?

Peter Cresswell – Broomhall

Mr Cresswell queried open space in Broomhall and does this go against SWDP Plan. Cllr Michael confirmed there was a requirement to provide green space. If the urban extension remains within the parish the onus lies to make an application quickly detailing any aspirations. The Parish Council will seek protection for Broomhall in respect of Green Space.

Glennis Hughes – Broomhall Cottages

Reported fly tipping in Brookend Lane. Cllr Harrison advised this had been reported and will keep her informed.

Terry Ward – Post Office Lane

Mr Ward advised there is Litter Pick to be held next Saturday 13<sup>th</sup> July 2013 at 10am and also a PACT Meeting on Tuesday 16<sup>th</sup> July 2013 at the Community Centre at 12 noon.

He drew reference to item 9. Common & Hams with concerns about the liability aspect and insurance. Cllr Bannister confirmed this was the purpose of seeking advice from a solicitor.

Joy Clee – Brookend Lane

Mrs Clee advised free advice in respect of common land could be obtained from attending Common & Hams conference at Gloucester University. Cllr Michael confirmed also that DEFRA may help.

Mrs Clee urged the Parish Council to think laterally to try and save money.

David Harrison – Brookend Lane

Mr Harrison raised concerns that a precedent could be set by sharing 50% of the costs with the adjoining land owner in respect of ditch repairs on Ashmoor Common. Cllr Michael reiterated boundaries were in fact the responsibility of the adjoining landowner.

Cllr Bannister explained the reason behind this proposal.

Standing Orders were reimposed