

**MINUTES OF THE PARISH MEETING OF KEMPSEY PARISH COUNCIL.
HELD ON MONDAY 11TH NOVEMBER 2013
AT 7:30pm AT KEMPSEY COMMUNITY CENTRE.**

PRESENT: - Cllr Michael (Chairman), Cllr Stevens, Cllr Gerrard, Cllr Campbell, Cllr Patrick, Cllr Hay, Cllr Hart, Cllr Bowley, Cllr Rea, Cllr Geens, Cllr Blackwell & Cllr Bevan.

IN ATTENDANCE: - District Councilor Mr. Harrison and 11 members of the public.

1. **Apologies:** Cllr Bannister (Work), County Councillor Mr Sutton (Work) – 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.

4. Having been previously circulated the minutes of The Parish Council meeting of Monday 14th October 2013 were signed as a true and correct record.

5. Correspondence for Information:

1. MHDC Second Parish and Town Council Conference held on Thursday 17th October 2013 – For Information
2. Freedom of Information Request from Mr. Halford – Grazing Rights – Kempsey Common.
A formal response has been sent back to Mr Halford

6. Reports from representatives:

- 6.1 Police Report - Crime Statistics were reported as follows:-
Burglary 1, Criminal Damage 4, Violence against a person 2, Vehicle crime 4
- 6.2 County Councillor

In the absence of the district councilor, the following report was submitted and read out by the Chairman:-

Reminder that year 2013/2014 is more than half over and if the Parish Council wish to make a bid against the Divisional Funds for either General Purposes or Highways work an early submission would be helpful.

I am concerned at the threat to subsidized bus routes – some of which run through Kempsey and I will be fighting to preserve these important services.

Other Matters:-

I am advised by e-mail that work on siding out the footway on the A38 north of Kempsey was scheduled to start on the 28th October, so it should now be completed (but am not sure if this happened).

A quotation is being prepared for footway repairs on the west side of the A38 opposite Napleton Lane (tree roots problem).

Realigning the kerbs on Hillside in order to widen the road involves a transfer of ownership of a strip of land from Festival Housing to the County Council and Festival are being consulted on this matter.

I am pursuing the Countryside Service on the adjustment of the gate at the Marlbrook bridle path entrance.

I have been advised by Gerry Brienza (but not yet in writing) that the repair of the collapsed culvert at Kerswell Green is the responsibility of the Parish Council and not the County Council.

END OF REPORT

The parish council was not sure if the last comment regarding responsibility of the collapsed culvert was correct and will seek clarification.

6.3 District Councillor. Mr Rea.

Reported that the South Worcestershire Councils have received a response from the inspector re: SWDP EiP Phase 1. Subsequently the KPC Chairman had written to him, and he will be responding to it.

District Councillor. Mr Harrison.

The Lioncourt Development came up twice at District Council and was approved subject to consultation with head of planning and District Planners. He informed the council he will put comments to Malvern Hills Council and it would be helpful to have input from the Parish Council.

Some discussion took place to ascertain if a pedestrian crossing outside the Community Centre was in the original plans. It was agreed it was not. However Cllr Harrison informed the Parish Council that it was originally a recommendation of the County Council.

The Councillor informed the Parish Council that Civil enforcement starts tomorrow (12/11/13) and fines can be issued varying from £50 to £70 depending upon the severity of the offence.

Parish councilors discussed the advertisement of the Civil Enforcement to the parishioners. It was suggested by one Councilor that this should be published in the Parish Magazine. Another Councillor stated that full details are available on the Malvern Hills web site. Leaflets are also available from Malvern Hills Council.

The councillor stated he was not happy with the Baynhall Garage planning application and will be responding to the planers regarding use of the building and hours of use.

Cllr Rea also during the discussion touched on the Section 106 monies and that a strategic plan should be formulated for the application of the funds.

6.4 Neighbourhood Development Plan Update (Mr. Mike Biddle)

Mr Biddle discussed the meeting held on 28/10/13. During the section under "other business" it was suggested that a detailed report be produced and put on the web site, this will enable members of the public to see what is going on.

Key Stages -The NDP is now at the Draft Plan Stage. However one problem is the additional developments that are going on.

Developers at Meadow Close are holding a meeting at the Kempsey Primary School. He feels it is important that the Parish Council is represented.

Lioncourt Developers are still in the appeal process although approval has been given. There is a concern regarding the 106 agreement.

Cllr Rea pointed out they may be waiting for the final paperwork to be approved before dropping the appeal.

One slight problem with the NDP is that until the SWDP is approved there is no way the NDP can be approved.

When asked about the support the working party has for the NDP, Mr Biddle responded that at the last meeting there were 14 people.

7. Reports from Committees (Update Only):

7.1 Recreation Committee

Cllr Campbell reported that at the last meeting that work on the drive at Plovers Rise was due to start. This has not yet started. She asked that the office contact the contractors (Three Counties)

7.2 Commons and Hams Committee

Cllr Bowley informed that the Cattle project had been a success and that this had resulted in a profit of approximately £370. He suggested that a letter be sent to Mr Gove from the Parish Council thanking him for his help and this was accepted by the Council.

Cllr Hay pointed out that it was not just a case of making £370, the council had not spend money on topping which could have been £5000.

It was agreed that the congratulation should go to the members for their bold, new venture.

7.3 Community Centre

Cllr Geens informed that the Centre was plodding along steadily. The reports carried out on the building and fire safety are getting out of date and the recommendations are being budgeted for earlier completion.

The lease for Magic Moments is going back to the solicitor for final draft. Cllr Geens stated his disappointment at the service from our current solicitor and suggested a review in the future of the Councils Legal Representatives.

7.4 Environment Committee

Cllr Stevens stated the recent committee meeting was productive.

The recent planting activity at the Rocky had to be postponed due to bad weather.

The Lengthsman had submitted a report of his activities this month. This had included a large amount of strimming which was due to the surge of grass growth recently. The usual siding out and cutting back of overgrowth and changing the VAS sign battery every week. He has also been sweeping up leaves and nuts from Old Road North. Since doing this, MHDC are sending out the Road sweeper once a week to deal with the leaf fall in Old Road North, Main Road (by the Oaks) and The Oaks. The rest of the village will be swept once a month. Trading Standards have said that they have been unable to contact the company that the Council used to purchase a notice board from. They have advised that they can not take their enquiries any further.

A proposal was made by Cllr Blackwell and seconded by Cllr Hart to purchase a new notice board at the cost of £475.00. This motion was carried. The successful company was WDS Signs.

7.5 Planning Committee

Cllr Geens reported on a recent "Malvern Hills Area Committee Meeting" held on 22nd October 2013. A presentation was given by Duncan Rudge, Development Control Manager at Malvern Hills District Council.

The presentation discussed the following:-

National Planning Policy Framework (NPPF).

This was set up to promote sustainable development. It has three strands

- Economic. To ensure jobs are provided (within the building and allied trades)
- Social. To support local facilities
- Environmental. Houses can be built virtually anywhere, bar say AONB

If LPA's cannot demonstrate a 5 year housing land supply, then the NPPF comes into force and overrules any local planning policies and guidelines. Developers, then in principle, cannot be refused permission to build. The only time that permission would not be granted is when the development would create serious adverse impact on the community and would "*significantly and demonstrably*" outweigh the benefits of the development. The LPA also has its hands

tied with regard to development quality as quantity takes priority.

Once the SWDP is approved then the LPA will be able to control location and quality of future developments. This approval was expected at the end of October, but as we know it did not happen.

Section 106 & Community Infrastructure Levy (CIL)

E-consultation.

This is here to stay, but he recognises that there are teething problems. It is about being more efficient and targeting resources. He recognises that the website needs to be more user-friendly and accessible. Also, that the documents loaded onto the site need to be of better quality to improve resolution when being viewed by local councils. He made no concessions to councils that did not have computer or Wi-Fi facilities.

Cllr Rea pointed out that planning officers strive to improve outcomes, wherever they can, by working closely with developers on detailed applications, and congratulated the Parish Council for early adoption of the online planning system.

7.6 F&GP Committee -

A meeting was held on 4th November 2013. This meeting discussed budgets, The Parish Council phone system, Wi-Fi facilities within the Community Centre and Chairmanship Training. The next meeting is on Monday 18th November at 7.30pm at the Community Centre. If Committees have already set their budgets, they are asked to submit them prior to the meeting.

8. Chairman's Report

Cllr Michael informed the Council that the Youth Centre discussions is moving on a pace. The amount of current trustees should be finalised by next week. He has liaised with "Community First". The Centre is not a viable proposition. The Parish Council appear to be the only viable option, subject to Trustees agreement.

A councillor asked about the involvement of the Charities Commission. The Chairman informed the Council that due to the size of the charity they have little reporting requirements. He also stated that the Youth Centre is in limbo and we need to do something sooner rather than later.

As discussed in the open forum, the emergency plan is in its final stage and will include the FLAG

synopsis. Linden Homes are holding a meeting on 16th November at Kempsey Primary School. He will be attending.

The working party that was set up to look at working with outside bodies will be reporting back next month.

A motion was tabled by Cllr Michael and seconded by Cllr Blackwell to allow the Environment Agency access to the Rocky for the installation of flood warning posts, at no cost to the Council. This was voted upon and carried.

9. Commons & Hams (Cllr Bowley)

Proposal to accept a quotation for new signage for all of Kempsey Commons.

Three quotations had been received and the recommendation was to accept quotation No3. The total value was £1358, to include supply and installation of 13 signs and supply of 2 signs for spares.

This was proposed by Cllr Bowley and seconded by Cllr Rea. The motion was carried with one abstention.

The successful supplier was Image ID.

11. Community Centre (Cllr Gerrard)

Proposal to accept quotation for replacement signage to the plant pots.

Three quotations had been received and the recommendation was to accept quotation No.2 for the supply of 12 signs at £6.50 each.

This was proposed by Cllr Gerrard and seconded by Cllr Patrick. The motion was carried.

12. To discuss:

1. General Power of Competence.

Cllr Bowley informed the Council that now we have a qualified Clerk, we need to look at the "Power of Competence". He suggested Councillors look on the internet to understand what this could mean.

2. How do we appoint Councillors to attend functions/meetings on behalf of the Parish Council?

Cllr Bowley suggested there was no mechanism for appointing councillors to outside meetings when the Chair or Vice could not attend. He suggested the difficulty appears to be general communication and needs to be addressed. After a discussion it was agreed that the current situation is that "where it is laid down that a specific Councillor should attend a meeting and cannot, they should get a replacement and notify the Clerk."

3. To remind Councillors that they must not contact outside bodies that are already being dealt with by the Parish Office

Cllr Geens informed the Council that a Councillor had contacted an outside body. He reminded Councillors that they should not contact outside bodies when it is being dealt with. The Councillor in question pointed out that he had done so because he believed the Parish Office was not aware of the status of the subject.

It was stated that if any Councillor should not get satisfactory answers from the Parish Office then they should contact the Chair of the Committee.

Cllr Rea pointed out that we now have a communications policy and this should be followed.

13. Proposal to formally appoint Cllr Bevan onto Community Centre Committee

This was proposed by Cllr Michael and Seconded by Cllr Gerrard. The motion was carried.

14. Finance:

1. To consider payments to be made as per schedule distributed.

This was proposed by Cllr Michael and seconded by Cllr Hart. The motion was carried.

2. Bank Reconciliation Statement Balance – For Information.

Cllr Hay queried the date on the reconciliation. It was stated that this had been a typing

error. A more up to date statement from our HSBC account can now be obtained online.

£70,000 has now been transferred to the Close Brothers account.

15. Planning Application: To consider planning applications for comment:

Planning Application No: 13/01267/LBC

Proposal: Replacement boiler and flue

Location: Church House, Church Street, Kempsey, WR5 3JG- **No objections from the Planning Committee**

Planning Application No: 13/01303/S73

Proposal: Variation of condition 3 on planning permission 13/00474/FUL to change cladding and window frames to the corporate colour scheme.

Location: St. Peters Peugeot, Bath Road, Broomhall, WR5 3HR- **No objections from the Planning Committee**

Planning Application No: 13/01305/FUL

Proposal: Conversion of redundant agricultural building to single dwelling (C3)

Location: 1 Old Road South, Kempsey, Worcester, WR5 3NZ- **No objections from the Planning Committee**

Planning Application No: 13/01088/HOU

Proposal: Alteration works to existing roof and internal spaces and construction of extension to North face of dwelling

Location: Woodland House, 77A Main Road, Kempsey, - **No objections from the Planning Committee**

A proposal was tabled to accept the Planning Committee recommendations. This was proposed by Cllr Patrick and seconded by Cllr Bevan. The motion was carried with 3 abstentions, one of which was Cllr Rea.

For Information:

Application No: 13/00642/HOU

Proposal: Two Storey Gable, Extension to front elevation, first floor extension and erection of 3 bay garage. (Part retrospective)

Location: Hill House, Napelton Lane, Kempsey, Worcestershire, WR5 3PY

Approval of Planning Permission

Application No: 13/00710/OUT

Proposal: Outline application for residential development with all matters reserved except for access Location : Broomhall Grange, Norton Road, Broomhall, Worcestershire

Refusal of Outline Planning Permission

16.Date of Next Meeting: Monday 9th December 2013 at Kempsey Community Centre at 7.30pm

Meeting Closed at 21:44 pm

Cllr Hay
(Clerk Absent)

Signed _____(Chairman) Date _____

Standing Orders were adjourned for Public Question Time

Terry Ward (Post Office Lane)

Parish Council Web Site. He feels an opportunity is being lost to promote the Village. When he looked at the site he found it was full of old information and outdated content. This should be looked at by the Council. It needs sharper writing, photographs and the promotion of the achievements within the Village. It would be a shame to miss an opportunity. Perhaps the Parish Magazine and Website could work hand in hand?

Cllr Michael informed the public that this will be looked into.

Mr Harrison (Brookend Lane) interjected that there was a christening within the Community Centre and nothing was on the web site.

Tony Maycroft (Meadow Close)

Asked if the residents could be assured that with all the development going on that the Parish Council will maximise the benefits from the developers.

Cllr Michael informed the public that this is being done. One part of this is the Neighbourhood Development Plan (NDP).

Mr Maycroft asked how this could be clarified?

Cllr Patrick responded by informing the public that we have a wish list as part of the NDP and we will be fighting for every penny.

Joy Clee (Brookend Lane)

She stated that the NDP is an important tool and the working party needs new input from new people. She asked for new people to get involved.

Cllr Michael informed the public that Mr Mike Biddle will be giving an update on the NDP later.

Mike Rookes (Baynhall)

Mr Brooks stated he was anxious about the proposal by Teal Turf. He feels that changes of use might be a first step to something else and he opposes these applications. Teal Turf had won a planning application on appeal. The residents were not notified of the appeal and they don't know what impact this is going to have on the residents. Access to the development is via a dangerous bend. Does the Parish Council seek to contact the developer and will it share its information? Does the Parish Council feel the process is flawed?

Cllr Patrick responded by informing the public that the Parish Council were not notified of the appeal results as we usually are. Change of use of the building may be allowed under current legislation. The Parish Council have asked Malvern Council to consider a condition of agricultural use. The open sided barn will require full planning permission for change of use and highways will not get involved until there is a planning application.

Adrian Smith (Baynhall) interjected that it could be used for a distribution centre.

Cllr Patrick responded by informing the public that they would require an Operators Licence which has to be applied for. If this was to happen, residents can make representations.

Peter Tatham (Baynall) interjected that the Info is reassuring but is not what Malvern Hills Planning have advised.

Cllr Patrick responded that they will have to apply for planning. In response to " Does the Parish Council feel the process is flawed?" She informed that the Planning Committee do not like this as she was unable to speak on behalf of the Parish Council.

Linda Jenkins (Brookend Lane)

Standing Orders. Item 6.1, 6.2, 6.3 and 6.4. She feels it would be use full if the public could ask questions. Standing Orders were once suspended. The public do not know what the representatives are going to say and therefore they don't have a chance to ask anything.

Cllr Michael responded by informing the public that the council will have a look at this. Cllr Rea informed the public that he is always available and can be contacted after the meeting.

Parish Council Emergency Plan. Ms Jenkins informed the Council that it has been a year now and she has not heard a thing. FLAG have made notices.

Cllr Michael informed the public that an updated plan, that has recently been put into operation will be coming out in the next couple of weeks.

Ms Jenkins questioned the key holder information and equipment instructions of use.

Cllr Michael informed her that she will be notified in an emergency and the council will consider a training session following publication

David Harrison (Brookend Lane)

Mr Harrison referred to last month`s open session and asked that his questions be answered with regard to

TB testing, Repairs of the pipe and gorse cutting.

He was informed that the cattle have been TB tested and have since been sold. The repairs to the pipe are still ongoing as this requires some further investigation and quotations are being sought for the gorse cutting.

Mr Harrison informed the council that they are 2 years down the line now and he is concerned.

Adrian Smith (Baynhall) informed the Council that he is the owner of the Old Farm House, effected by the damaged pipe and for 6 months of the year has to have 2 pumps running constantly to stop his property flooding. Any work done to repair the pipework would be greatly appreciated.

Mr Harrison suggested that the Parish Council have a word with Mr Peter Venibles who was the previous

land owner when the pipework was installed.

Standing Orders were re-imposed.