

MINUTES OF THE MEETING OF KEMPSEY PARISH COUNCIL
HELD ON MONDAY, 13th FEBRUARY 2012 AT 7.30 p.m.
AT KEMPSEY COMMUNITY CENTRE

PRESENT: - Mr. J Michael (Chair)

Mrs. P Gerrard, Mrs. C Campbell, Mr. Harrison, Mr. K Blackwell, Mr. R. Bowley, Mr. M Stevens, Mr. R Austin, Mr. A Hay, Mr. M Legg & Mr. A Rea

IN ATTENDANCE: - County Councillor Mr. R Bullock and 7 Parishioners

1. Apologies for absence: - Mr. Bannister and Mrs. Hart – accepted (holiday)

2. Declaration of interests:-

As someone holding registered grazing rights in respect of all commonable areas other than

Kerswell Green Common, Mr. Harrison declared a personal interest in respect of the Commons

and Hams Committee Report at Agenda Item 7.5 and Mr. Bowley also declared an interest being

a member of Kerswell Green Graziers Association. Mr. Rea, Mr. Austin, and Mr. Stevens declared

a personal interest due to residing on The Limes. Mr. Harrison also declared a personal interest living

in close proximity to The Limes. Mrs. Gerrard declared an interest in planning application No: 12/00110/FUL. Mr. Harrison declared an interest in respect of cheque payable to HTE

3. Register of interests: – Members were reminded to update their Register

4. Open Forum: - It was proposed by Mr. Michael, seconded by Mr. Harrison and resolved that Standing

Orders are adjourned for the Open Forum. At the end of the Open Forum the Chairman reconvened

Standing Orders

Minutes: - To consider the adoption of the following minutes (enclosed)

Minutes of the Parish Council Meeting of 9th January 2012

Having been previously circulated, these minutes were signed as a true and correct record by the
Chairman.

F&GP Committee Meeting of 4th January 2012

To be compliant with Standing Orders it was agreed these minutes should be officially signed at the

next F&GP Committee meeting despite the Chairman stressing the importance of having these

approved as they detailed budget and precept information for 2012/13 even though all members present

at the F&G P meeting were also at this Parish Council meeting. Mr. Bowley advised this is unnecessary and irrelevant as there is no requirement to approve minutes before actions can take place.

6. Previous Minutes: Any recommendations and/or items for update – Mr. Bowley raised a question concerning the Polling Station Review at item 7.3. Cllr Rea stated that details were raised regarding the suitability of the Parish Hall in Kempsey as a Polling Station for the Ward. After consideration it was decided by Malvern Hills District Council that this was still the best place in the Parish as the Kempsey Polling Station.

7. Reports from representatives: To receive an update

7.1 Police Report – Crime Statistics for the period 01.01.12 to 31.01.12 were reported:-

Anti Social Behaviour	0	Robbery	0
Assaults	2	Theft	0
Burglary	2	Vehicle Crime	1
Criminal Damage	1	RTC	1

District Councillor's Reports: Report from Mr. Rea and Mr. Harrison

Mr. Rea report:

Mr. Bocoock Chief Executive Officer from Malvern Hills District Council is visiting the Ward in March and District Councillors' are seeking any questions from parishioners to address to him.

Sports Activities Events available in Malvern Hills

Mr. Harrison report:

South Worcestershire Development Plan (SWDP) – Due to the high level of response to the SWDP Preferred Option Proposals consultation in the latter part of 2011, the implementation of the SWDP has been put back approximately 8 months. Around 4000 people turned up to the "roadshows" and approximately 5000 written responses have been received equating to around 15000 comments in total. The SWDP website is not the most friendly for the staff to input the vast quantity of responses and this is hoped to be completed by the end of February (Mr. Harrison stated that he thought that this was very optimistic). The comments would then require analyzing before being presented to the District Councillors. It will take time to sift through the comments and further "evidence" may be required. The new timetable as published this week is available.

Advised that both the District Councillors' have £1,000 pot of money for funding any youth or senior groups within the Ward of Kempsey and Severn Stoke. Any interested parties should contact the District Councillors' in the first instance.

County Councillor's Report: Mr. Bullock reported on

The Activated Speed Signs scheduled for August 2012 for Brookend Lane

The County Council is prepared to contribute monies towards the purchase of an approved Vehicle Activated sign.

A section of the surface of the A38 on the southbound side and south of the Community Centre was inspected as previously requested however nothing could be identified as seriously wrong. Mr. Harrison to supply a map of the exact location for Cllr Bullock to ask the inspectors to look again.

An improvement to parking outside 129 Main Road will be made following a visit from the

Highways Officer.

Mr. Blackwell requested that the drain on the corner of Napleton Lane, on the A38 still requires

unblocking and jetting out. This has raw sewage and is full.

Mrs. Gerrard thanked Mr. Bullock for the donation from Worcestershire County Council toward the forthcoming Funday Sunday Event

Environment Committee: To Discuss

Resolution to approve the legal agreement with the Environment Agency for the Fish Pass Scheme in the Rocky

Mr. Stevens made a proposal to approve the legal agreement with amendments (suggested by our solicitors) with the

Environment Agency for the Fish Pass Scheme in the Rocky and to sign and seal two copies. This had been circulated, or had been available to all councilors prior to this meeting.

This was seconded by Mr. Harrison and voted unanimously by all members to accept.

Permission from the Parish Council to grant permission for a tree to be felled by the sub station

at the Rocky

There was a slight error in the agenda item as it was only to pollard trees and not remove any. A proposal was made by Mr. Stevens to issue a letter to Fountains (Contractors for EON) to grant permission to access the land to pollard the trees and to inform them that they may need to contact Malvern Hills District Council for planning permission which may be required. It was also recommended to write and suggested that, Fountains may be able to pollard other trees on this same line and also in the Rocky area at the same time. This was seconded by Mr. Harrison and voted unanimously to accept.

7.5 **Commons and Hams Committee:** To Discuss

1. Normoor Common (Mr. Legg)

A proposal was made by Mr. Legg as discussed at the last Commons & Hams Committee

meeting of 16th January 2012 for any unspent monies from the allocated 2011/12 budget of the

Commons & Hams Committee to be spent on improving Normoor Common.

Mr. Bowley highlighted that this was not a unanimous decision from the Commons & Hams

Committee and felt that the visual aspect was not of paramount importance and that the

Community would not reap the benefits from this. Mr. Rea was also felt this was unnecessary

expenditure. Mr. Bowley advised he would support a proposal for ditching to protect access to

the Common. Mr. Bowley suggested a better approach would be to devise a formal plan and

transfer any surplus monies into a Normoor Development Fund. Taking these points into

consideration Mr. Legg withdrew his proposal.

It was agreed by a vote of six votes to four to spend £650 allocated from the

2011/12 ditching

budget

to carry out clearance works to Normoor Common to include clearing 650 metres on the

western side verge and 500 metres on the eastern side verge together with some ditching

works. The contractor appointed to carry out these works was NP Denley

Tree Surgery.

Upkeep of all access tracks across Kerswell Green Common (Mr. Bowley)

The Parish Council has no legal obligation to maintain tracks across commons.

Where the Parish Council has granted permission to residents in repairing tracks over common land the materials used should be similar to those already in use

on that track and cannot be converted into permanent road surfaces. Clerk to write to Severn Trent in respect of repairing the road surface at Kerswell Green.

Mr. Bowley requested a full copy of the Commons Byelaws.

Mr. Michael expressed his thanks and appreciation to Messr Rea, Legg and Mr. Goodway for clearance works at Stonehall Common.

Recreation Committee: Update

Mrs. Campbell and Mrs. Gearrard met with the solicitors in respect of the Tennis Club Lease.

This will be discussed further at the Recreation Committee meeting on Monday 20th February 2012.

7.7 Community Centre Committee: To Discuss

1. To accept a quotation for decoration of Parish Office.

Three quotations were received in respect of decorating the Parish Office. A proposal was made by

Mr. Harrison to accept the quotation for £345. Although this was not quite the cheapest quote, the contractor was prepared to paint the office when the clerk was not working (ie. Tuesdays, Saturdays and Sundays). This was seconded by Mr. Blackwell with a

majority vote of 8 members for and 3 members against. The contractor appointed to carry out this

work is Abi White.

2. To approve costs for Building Condition Survey/Planned Maintenance

Programme

A proposal was made by Mr. Hay to spend a further £230 in excess of the previously agreed

amount of £750 to accept the quotation for £980 in respect of the above. This was seconded by Mr.

Rea and voted for unanimously.

3. To discuss cost and viability for solar energy at Community Centre (Mr. Harrison)

Mr. Harrison advised that he had looked into the viability of solar energy for the Community Centre. Two quotations had been received. After some discussion and taking various

factors into consideration such as cost and feasibility it was felt that this is not a project that the

Parish Council wish to pursue at this time.

7.8 Chairman's Report

Mr. Michael reported that there had been a setback concerning the NatWest 3 year

stepped

Account that the Parish Council agreed to invest £70000 . Due to high demand this offer had been withdrawn. An alternate option available from NatWest was to invest £70000 over just a 12 month period and then find somewhere else for the investment after this terminated. This proposal was made by Mr. Michael, seconded by Mr. Legg and voted unanimously to accept. Mr. Michael also reported on a request for a proposed food bank in Kempsey. He would refer this request to the church.

8. Finance

8.1 To authorize payment of accounts as per schedule (attached) A proposal was made by Mr. Rea, seconded by Mr. Legg and unanimously agreed to authorize payments including the following:-

ADDITIONAL CHEQUES

13.02.12

Payable to

**AMOUNT
(£)**

Mr R Barnes	Clearance Normoor Common	150.00
Mr K Blackwell	Mileage Expenses	14.40
Kempsey Sports Association	Grant	1250.00
R Allard	Corral Ashmoor Common	1600.20

8.2 To ratify payments authorized under delegated powers including Staff Salaries (attached)

A proposal was made by Mr. Harrison, seconded by Mr. Legg and unanimously agreed to authorize payment.

8.3 Bank Reconciliation Statement Balance – For Information. Mr. Harrison suggested internet access on this account which would provide more up to date information. This is to be placed as an agenda item for further discussion at the next F&GP Committee meeting.

8.4 Councillor’s Expenses – As previously agreed councillors can only receive expenses in respect of mileage claims (No telephone or postage cots)

8.5 To ratify committee decisions and approve expenditure within defined budgets (A Hay)

Mr. Hay requested if this item could be deferred Financial Regulations

8.6 Risk Assessment Update A question previously raised was if a Councillor conducted a risk assessment who would be liable in the event of negligence?

Aon (our present insurers) advised

“As the Councillor is working on behalf of the Parish Council the liabilities are one of the same. If an

accident occurred and a member of the public were injured, an investigation would have to take place

as to whether the Parish Council were negligent or not. If it is found the Parish Council

were negligent

the insurance policy it holds has the Liability cover in force.”

8.7 To approve Draft Financial Regulations - To defer this item to the next F&GP Committee meeting.

9. **Planning:** To Discuss the following:-

Planning Application No: 12/00109/ADV

Proposal: Replacement signage- 2 x internally illuminated folded fascia's, 1 x internally illuminated totem, 1 x non illuminated welcome totem, 1 x externally illuminated service sign

Location: Baynall Garage, 19 Main Road, Kempsey, WR5 3PA

Comments: Kempsey Parish Council does not object to this application. However, it would like

to suggest that the following conditions are applied:

The lighting levels shall be limited such that they do not cause a distraction to motorists, do not create light pollution or affect any neighbouring properties.

The lighting shall be switched off when the premises are closed to the public.

Planning Application No: 12/00110/FUL

Proposal: Application to retain a two storey dwelling

Location: 7 Post Office Lane, Kempsey, WR5 3NS

Comments: Kempsey Parish Council wishes to object to this retrospective planning application.

The council feels that to accept the amendments to the approved plans, in particular the increased roof line, would go against previous planning decisions relating to this property –

where this was a reason for refusal and a condition in the subsequent appeal. Not only would

this be contradictory it would raise questions about the strength of conditions which are applied

during the planning approval process.

10. **To consider a proposal for Kempsey Parish Council to become a member of the Campaign for**

the Protection of Rural England (Mr. Stevens)

A proposal was made by Mr. Stevens to become a member of the CPRE at a cost of £29 per year.

This was seconded by Mr. Blackwell and carried by a majority vote of 8 members in agreement.

11. **To Discuss Community Emergency Plan** (Mr. Harrison)

A working party is to be devised consisting of Mr. Michael, Mr. Harrison, Mrs. Campbell and Mrs.

Gerrard and advice is to be sought from Mr. Rolls Emergency Planning Officer from Malvern Hills

District Council to progress forward.

12. **To Discuss Neighbourhood Plan** (Mrs. Campbell)

Reference was made to the Localism Act. Awaiting guidance to help devise a Neighbourhood Plan.

13. To Discuss Parish Plan Working Party (Mr. Austin)

This will discontinue after the Jubilee Celebrations. The body will cease and a Neighbourhood Plan

Working Party will be formed. Mr. Austin was appointed as the Chairman of the Neighbourhood Plan

Working Party. A Working Party is to be formed soon.

14. Correspondence for Information: All items of correspondence indicated below were available for

inspection by Parish Council Members between 7.00p.m and 7.30p.m

15. Date of next meeting: Monday 12th March 2012 at 7.30pm at Kempsey Community Centre.

16. Confidential Item: 1. Tenant Related Matter to discuss proposals

2. Rent Reviews

3. Allotment /Kempsey Common Footpath 637

4. Unpaid invoices

CORRESPONDENCE

KEMPSEY PARISH COUNCIL – 13th February 2012

1. Letter from Harriett Baldwin – Response in respect of SWDP – For information

2. Clerks & Councils Direct – For information

3. Welcome to Our Future – Sustainable Communities – For information

4. Repair to broken stile/post - For notification

5. Kerswell Green Road Surface – Letter to be issued to Severn Trent

6. WCC – Public Rights of Way Kempsey Parish Footpath 637 – refer to Commons & Hams

Committee- To discuss Confidential Session

7. Diamond Jubilee and London 2012 Celebrations – Request for Financial Assistance

8. Rural Payments Agency – Common Land Ownership – For Information – No payment available

9. The Localism Act – what's it all about? – An update

10. Droitwich Spa and Rural Council for Voluntary Service – Fishing for Funding

Mr Michael will attend this event and Mrs Campbell will check her availability

11. Mobile Youth Unit Transfer Application Process – For information

12. CPRE A Guide to Neighbourhood Planning – For information

Meeting Closed 9.58pm

Sharon Baxter

Clerk

