

**MINUTES OF THE MEETING OF KEMPSEY PARISH COUNCIL HELD ON  
MONDAY 14<sup>th</sup> JUNE, 2010 AT 7.30 p.m. AT KEMPSEY COMMUNITY CENTRE**

**Present** :- Mr. T. Ward, in the Chair

Ms M. Baker; Mrs. K. Biddle; Mr. K. Blackwell; Mrs. C. Campbell;  
Mrs. P. Gerrard; Mrs. A. Hart; Mr. D. Harrison; Mrs. J. Jones; Mrs. H. Willcox  
and Mr. J. Michael.

**Also present** :- Mr. R. Bullock, County Councillor and Mr. M. Biddle and Mrs. M. Walters, District Councillors.

**Apologies for absence** were received from Mr. N. Brookes and Mr. M. Legg.

**6866 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, possibly prejudicial interest in respect of the Commons and Hams Committee Report at Agenda Item 13. He also declared the same interests in respect of an item of correspondence at Agenda Item 10(w) relating to trees in a pond at Stonehall Common.

Mr. Michael declared an interest in Agenda Item 12 - planning application MH 917/09

**6867 OPEN FORUM**

It was proposed by Mrs. Jones, seconded by Mrs. Gerrard and resolved that Standing Orders be suspended for the Open Forum. Notes from this part of the meeting are annexed to the Signed Minutes. At the end of the Open Forum the Chairman re-imposed Standing Orders.

**6868 MINUTES OF THE PREVIOUS MEETING**

The Minutes of the previous meeting of the Parish Council held on Monday, 10th May, 2010 had been previously circulated to the members. On the proposal of Mrs. Hart, seconded by Mrs. Jones the Minutes were confirmed by the Parish Council and signed by the Chairman.

**6869 MINUTES OF THE POLICY COMMITTEE**

The Minutes of the Policy Committee held on Monday, 10<sup>th</sup> May, 2010 had been previously circulated to the members. On the proposal of Mrs. Campbell, seconded by Mrs. Hart the Minutes were confirmed by the Parish Council and signed by the Chairman.

**6870 PREVIOUS MINUTES – RECOMMENDATIONS AND UP-DATES**

There were none.

**.6871 COUNTY COUNCIL REPORT ON LOCAL ISSUES**

Mr. Bullock reported that a meeting had taken place about the overhanging trees at the A.38/Brookend Lane junction and the problem would be dealt with in due course. An inspection had also been made of the overgrown green area at The Oaks. Potholes outside the industrial unit in Bestmans Lane would also be dealt with.

**6872 DISTRICT COUNCIL REPORT**

Mrs. Walters reported that District Council and County Council officers would determine which authority was responsible for the overgrown trees at the Brookend Lane/A. 38 junction. She had also reported other overhanging hedges to Mr. Wallace from the County Council. The Clerk was asked to include this problem in the Parish Magazine Extract.

Mr. Biddle reported that the Government had rescinded the idea of Regional Planning and that a five year land supply still had to be available for development in the Malvern Hills Area. He then reported that although Diamond Bus Service would be ceasing to run through the village, the contract had been re-tendered and awarded back to this company. There would be no planned changes to the school transport to Hanley Castle High School.

## **6873 CORRESPONDENCE**

All correspondence, both for report and for information had been made available for inspection by Parish Council Members between 7.00 p.m. and 7.30 p.m.

### **(a) Upton Skate Park Association – Constitution and accounts**

As requested, the Parish Council had been provided with a copy of the constitution, the latest set of accounts and confirmation that the Association was a non-profit making voluntary organization. On the proposal of Mrs. Campbell, seconded by Mrs. Willcox the Parish Council resolved to make a grant of £50.00 to the Upton Skate Park Association using the power of the Local Government (Miscellaneous Provisions) Act, 1976 as the recreational facility for which the financial assistance was being given was outside its area.

### **(c) WCC – Waste Core Strategy – Emerging options consultation**

It was noted that consultation comments would be taken into account in developing the Waste Core Strategy.

### **(d) MHDC – Discretionary Rural Rate Relief – Two applications**

The Parish Council resolved that these two matters should be discussed in confidential session at the end of the meeting.

### **(e) MHDC – 2007 Flooding – Kerswell Green**

The Clerk was asked to ascertain where Kempsey Lodge was located. Mr. Bullock agreed to obtain copies of the County Council flooding survey results following the 2007 flooding at Kerswell Green.

### **(h) SMP Builders – Guarantee on finished works at Sports Pavilion**

The Parish Council noted the comments on the works to be carried out.

### **(i) WCC – Lengthsman Scheme - Invoicing**

The Parish Council noted that invoices were already being sent to the County Council on a monthly basis.

### **(k) Chair of Governors, Hanley Castle High School – Foundation Status**

The Parish Council agreed that the Foundation Status issue was one for the parents of children at the school.

### **(l) Magic Moments Day Nursery – Community Centre tenant related matter**

The Chairman briefly outlined this tenant related matter. The Parish Council resolved that it should be discussed in confidential session at the end of the meeting.

### **(m) WCC – Kempsey Common – Registration of Commons Rights**

Mr. Harrison stated that he was not declaring an interest in this matter as he wished to inform the Parish Council of his personal experience relating to the updating of the registration of commons rights, which he then did. The Commons and Hams Committee Chairman reported that he would be raising the matter of the County Council not updating the Commons Register at the National Commons Conference in July when the Chair of the Commons Registration Authorities would be one of the speakers.

### **(n) WCC – Proactive footpath strimming for Summer 2010**

The Clerk was asked to inform the County Council of the village footpaths which were in need of strimming.

### **(o) Mr. T. Hackett and (p) Mrs. A. Hackett – New play equipment at The Limes**

The Parish Council noted the contents of this letter.

### **(q) Mr. M. Stevens and (r) Mrs. L. Stevens – New play area at The Limes**

The Parish Council noted the contents of this letter.

### **(s) The Limes Action Group – New play equipment**

The Parish Council noted the contents of this letter.

### **(t) Brookend Residents Association – New play equipment at The Limes**

The Parish Council noted the contents of this letter.

### **(u) Mr. R. Bowley – Request for information**

The Parish Council noted that the requested information had already been provided to Mr. Bowley..

**(v) Mr. R. Bowley – Quorum/Prejudicial interests**

The Chairman pointed out that the Parish Council's procedure on declarations of prejudicial interest was in line with previous guidance which had been given to Clerks. Mr. Bowley's second point about quorums at meetings would need to be considered in line with the present Standing Orders.

**(w) Mrs. A. Cartwright – Stonehall Common – Trees in ponds/traffic hazard**

The Parish Council resolved that Mr. R. Clarke should be asked to cut down the trees which were growing in the ponds in order to prevent the traffic hazard.

**6874 ENVIRONMENT COMMITTEE**

The Committee Chairman reported that further graffiti had been sprayed onto the Windmill Lane bus shelter. The blue bricks in this shelter had been replaced but the guttering kept blocking because the soakaways needed clearing. The litter bin outside the shop had been hit by a vehicle again and, as a result, the lid would not fit securely. He then referred to the work being carried out to the Sports Pavilion roof where it had been found that existing timbers were in such a poor condition that they could not be patched up. The contractor had estimated that it would cost an additional £200.00 to provide new cladding which, when added to his initial estimate, would still work out cheaper than the second lowest estimate which had been submitted for this work. On the proposal of Mr. Blackwell, seconded by Ms. Baker the Parish Council unanimously resolved to accept the additional estimate of £200.00 submitted by Mr. Simon Davis.

**6875 PLANNING REPORT**

**(a) For report – MH 997/09 – Land at Bestmans Lane**

Mr. Michael had previously declared an interest in this matter and left the room. The Parish Council objected very strongly to this application. They felt that it was absolutely essential that before any further planning applications were granted for any part of this site, that all decisions arising from the appeal to the Planning Inspectorate were enforced. Up to 1<sup>st</sup> June, 2010 no enforcement action had been taken to implement the Inspector's directives of 12<sup>th</sup> February, 2007. This should have been carried out within 3 months from this date and over 3 years had now elapsed.

The plans did not show the correct parking. They did not show the extension to building 3 (adjacent to Bestmans Lane and to the left of the vehicular access to the site). They did not show the extension between building 1 (adjacent to Bestmans Lane and the parking spaces/service area) and building 2 (adjacent to the boundary of Field House).

The tree planting on the bund alongside the vehicular access to the site and the lorry parking spaces which was approved under planning permission MH 077/03 had still not taken place after 7 years despite this being one of the conditions of approval.

This application not only retained most of the bund which the Planning Inspector decided must be removed (Page 5 paragraph 23 of his report) but also applied for a further section of bunding.

There was no planning permission for the parking of lorries, heavy goods vehicles or equipment on this site. The tipped waste material, parked articulated units and un-authorised parked heavy goods vehicles together with the un-authorised building (to the rear of Field House and Box House) and the bunds must be removed before any further planning applications for this site were considered.

The Parish Council questioned whether this application was a backdoor way of gaining planning permission for the three buildings to the rear of the site?

**(b) Comments made to Malvern Hills District Council under delegated Powers**

**MH 534/10 – 3 Broomhall Cottages – Single storey rear kitchen extension. Extend existing rear dormer – No objections.**

MH 541/10 – 5 Old Road South – Single storey extensions to front, side and rear – No objections

MH 457/10 – Draycott Lodge, Main Road – Extension of time limit to commence development on application MH 1002/07 – No objections

#### **6876 COMMONS AND HAMS COMMITTEE REPORT**

Mr. Harrison had previously declared an interest in this report and left the room. The Committee Chairman reported that he needed to rectify a previous oversight relating to the contract for the fencing works at Ashmoor Common. Three estimates had been received for this work which was being funded by Natural England and the selected contractor would be Hurley Fencing who had submitted an estimate in the sum of £9,783.00 in line with the specification prepared by Natural England. Only one estimate had been received for the ditching works at Normoor Common so three further contractors had been approached. The posting works at Kempsey Common had only partially achieved what was hoped for and, following consultations with the local residents, dropped posts were being considered as they would negate the need for an application to the Secretary of State for a gate. The local residents had also requested that a litter bin should be provided so that they did not have to pick up litter which had been left behind.

#### **6877 RECREATION COMMITTEE REPORT**

Mrs. Campbell, the Committee Co-Chairman reported that following on from the meeting with the Sports Association it had been agreed to hold a meeting of the Recreation Committee to discuss the siting of the proposed new play equipment at the Playing Field.

##### **Funding from LEADER – Match funding**

Mrs. Campbell pointed out that match funding was required as part of the grant conditions for the new play equipment and reminded those present that £13,500 had been carried forward in the Recreation Committee budget from the previous financial year for the purchase and maintenance of play equipment. She then proposed that this budgeted sum of £13,500 should be used as match funding for a similar grant sum. This was seconded by Mrs. Gerrard and unanimously carried.

##### **Fencing against Tennis seating area**

Mrs. Campbell reported that two estimates in the sums of £400.00 and £880.00 including VAT had been submitted for the replacement of sections of the chain link fencing behind the tennis seating area at the Playing Field. There were some concerns about the difference in these estimates so the Parish Council resolved that a third estimate should be obtained.

##### **New windows in Pavilion roof**

The Parish Council discussed the letter which had been received from SMP Builders about the replacement windows in the Sports Pavilion roof. They unanimously resolved that the works previously agreed in principle at Minute No. 6853 in the sum of £1,670.00 should be carried out.

#### **6878 NEW PLAY EQUIPMENT AT PLAYING FIELD**

The Chairman pointed out that a number of options were being discussed and issues had been raised. These options and issues would be discussed by the Recreation Committee.

#### **6879 COMMUNITY CENTRE COMMITTEE REPORT**

The Committee Chairman reported that repairs had been completed to the roof/gable end and a stop tap had been fitted as there was currently no means of turning the water off in an emergency. Whilst doing this work the plumbers discovered a blockage in a sewer. As there were implications possibly affecting one of their commercial tenants, the Parish Council resolved that this matter should be discussed in confidential session.

Mr. Blackwell asked if any progress had been made with repairing the hole in the floor in the Nursery Office? The Chairman pointed out that the Nursery staff had been asked to advise the Parish Council as soon as they had removed the carpet in this room so that an

inspection could be made. To date, they had not done so and the responsibility therefore rested with them.

#### **6880 PARISH COUNCIL CHAIRMAN'S MONTHLY UPDATE**

The Parish Council Chairman reported that he was hopeful that he may have another volunteer for the Sub-Post Master position and interviews would be taking place this week. Work was being done on the cabin which was at Seabourne Leisure and staff there were carrying out the work free of charge.

#### **6881 QUALITY PARISH STATUS – RE-ACCREDITATION**

On the proposal of the Chairman, seconded by Mr. Harrison the Parish Council unanimously resolved to pay the application fee of £100.00 plus VAT for Quality Parish re-accreditation.

#### **6882 RECEIPTS & PAYMENTS/RECONCILIATION OF BALANCES TO 31/5/10**

The receipts and payments/bank reconciliation to 31st May, 2010 had been previously circulated to the Parish Council Members. Copies of these documents are attached to the Signed Minutes.

#### **6883 CONFIRMATION OF ACTION**

On the proposal of Mr. Blackwell, seconded by Ms. Baker the Parish Council ratified the payment of the following urgent accounts which had been made under delegated powers :- Staff salaries for May - as shown on the list circulated to the Parish Council Members and annexed to the Signed Minutes

New Farm Grounds Maintenance – Playing Field mowing - £183.62 (inc. £27.35)

R. Clarke – Grass mowing at children's play area - £27.50

R. Clarke – Grass mowing at Community Centre - £22.00

S.J. Alldridge – Works to damaged wall at Magic Moments Nursery - £200.00

SB Print – Annual Newsletter - £104.97 (inc. £15.63 VAT)

Bott (Plumbing Services) Ltd. – Unblock sewer at Community Centre - £158.62 (inc. £23.62 VAT)

Bott (Plumbing Services) Ltd. – Clear gulley to Post Office site and check still connected to main sewer - £141.00 (inc. £21.00 VAT)

Bott (Plumbing Services) Ltd. – Fit new stop tap at Community Centre - £80.48 (inc. £11.98)

SMP Builders Ltd. – Community Centre roof works - £3,815.00

#### **6884 ACCOUNTS FOR PAYMENT**

On the proposal of Mrs. Hart, seconded by Mr. Harrison the Parish Council resolved to authorise payment of the following accounts :-

Mrs. A.P. Halford - Petty cash for May - £23.82

Bellinger Design – Play area landscape consultancy - £3,055.39 (inc. £455.06 VAT)

VIP Contract Cleaning – Community Centre cleaning - £153.00

Arkle Reproductive Consultants Ltd. – Copier meterage - £16.85 (inc. £2.51 VAT)

R.S. Clarke – Grass mowing at Community Centre - £30.25

R. S. Clarke – Grass mowing at children's play area - £33.00

The PC Whisperer – PC maintenance and update of systems - £50.00

New Farm Grounds Maintenance – Grass cutting at Playing Field - £122.41 (inc. £18.23 VAT)

It was noted that only £667.91 remained of the Parish Plan Working Party funds. The Parish Council resolved that the difference between this sum and the invoice in the sum of £3,055.39 (inc. VAT) from Bellinger Design for play area landscaping consultancy should be taken from the contingency sum in the general account until such time as funding was received from Playbuilder.

#### **6885 CONFIDENTIAL SESSION**

In view of the nature of the business about to be transacted, the Parish Council resolved

that the public and Press should be asked to withdraw from the meeting.

**THERE BEING NO FURTHER BUSINESS, THE CHAIRMAN DECLARED THE MEETING CLOSED AT 9.39 p.m.**

Signed at the next ensuing meeting of  
Kempsey Parish Council

Chairman of such next ensuing meeting