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| **Logo, company name  Description automatically generated** | **KEMPLEY PARISH COUNCIL**  **Minutes of the Ordinary Parish Council Meeting**  Held on Monday 15th January 2024 at 7.30pm in Kempley Village Hall |  |

**Present:**

**Councillors:** Martin Brocklehurst (Chair), Kim Reynolds, Robert Howson, Denise Wood, Ricky Goodwin, David Lewis.

**Officers:** Clare Muir (Clerk) Tim Dain (Leaving Clerk)

**In attendance:** Gloucestershire County Council (GCC) Cllr. Gill Moseley (arrived 20.17).

5 members of the public.

1. Apologies were received from Forest of Dean District Council (FoDDC) Cllr. Gill Kilmurray.
2. Cllr. Brocklehurst declared an interest regarding agenda item # 166 as a property owner with hedging abutting the highway.
3. The minutes of the Ordinary Parish Council Meeting held on 20th November 2023 were approved.
4. Clare Muir was welcomed to the role of clerk to the Parish Council and Responsible Financial Officer. Approval was given to attend relevant training and take over the Society of Local Council Clerks membership subscription.

Tim Dain was thanked for his professionalism and for the work done to take the Parish Council forward whilst in post.

1. Public Open Forum:

Bob Earll raised problems caused by farm traffic: slurry movements, mud on the roads, the timing and duration of activity estimating up to 80 movements per day.

Prompted by the Parish Council’s discussion at the November meeting (see minute #140) and following communication with Cllrs. Goodwin and Howson, Bob Earll requested that the Parish Council clarify its intentions on this issue as follows:

* Clearly describing the issues to be addressed.
* Guidance: NFU and other national bodies are likely to have best practice guidance on this and there are certainly legal regulations concerning mud on the roads and actions that are required.
* Measures: There are a range of measures, warning signs, jet washing the worst affected areas, better hard standings at field entrances, time limited operations, that would mitigate the resulting damage. There must be other measures that could be taken.

Council advised that at the previous meeting, Cllr. Goodwin agreed to liaise with the local farmers about these and other issues. Cllr. Goodwin will be updating Council regarding these discussions later in the agenda (item #173).

**Items For Resolution & Decision:**

1. The 2024 Budget & Precept were considered. In November, Councillors were alerted to an anticipated increase of approximately 9% being necessary due to the inflationary pressures of the past 2 years and a Precept increase of only 2% in 2023. When figures were updated to the end of December, this increase can be reduced to approximately 6%.

The clerk/RFO has ascertained that Local Council Awards (LCAS) scheme money has no restrictions on use, therefore using this £200 reserve could reduce this increase further, however the general reserve of approximately £1,200 is below the recommended target of a minimum of 50% of annual total expenditure, therefore the clerk/RFO recommended that Council approve the approx. 6% increase and the LCAS money be vired to the general reserve.

After discussion, ***council resolved*** to approve a 2024 precept of £6,652. This will increase Band D council tax by £2.75 per annum (6.04%). (see Appendix I).

1. ***Council resolved*** to defer items #156 to #159 to be considered at the end of the meeting privately in accordance with Standing Orders section 3d. These items are considered confidential or commercially sensitive requiring the public to be excluded.
2. In private session, three quotes were considered for maintenance of the Village Green. It was agreed that continuing with the current contractor offered the best value.

***Council resolved*** to award a three-year contract with an automatic annual increase in line with inflation. In exceptional circumstances, the contractor may request a review at any time.

**Action:** Clerk to inform contractors of the outcome.

**Staffing Matters**

1. ***Council resolved*** to approve appointment of Clare Muir to the role of Parish Clerk and Responsible Financial Officer and to sign a contract of employment effective from 1st January 2024.
2. ***Council resolved*** to approve a bank mandate giving the new clerk delegate access to online banking and remove access for the outgoing clerk. This to be completed online.
3. ***Council resolved*** to approve a standing order instruction for monthly payment of the Clerk’s salary with effect from 26th January 2024.

**Financial Matters:**

1. **Council resolved** to approve the following financial reports as of 31st December 2023:

* Bank Statement
* Bank reconciliation
* Budget monitoring report
* Reserves Statement

***Council resolved*** that the Build Back Better Fund Grant reserve of £1,386 will be used up as follows: £660 for three further kissing gates previously approved, a sum to replace the St. Mary’s Church sign, a sum for administration and a sum to support an additional free bus service on the weekend of the 2024 Daffodil weekend (see item #166).

**Payments & Receipts**

1. ***Council resolved*** to approve the following online payments made since the last meeting:

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| --- | --- | --- | --- | --- |
| DATE | PAYMENT TYPE | DESCRIPTION | POWER | AMOUNT |
| 13/11/23 | DD | Website/IT – Website Hosting | LGA 1972 s.142 | £7.20 |
| 26/11/23 | SO | Clerk’s Salary | LGA 1972 s.112 | £261.20 |
| TBC | DD | Website/IT – Website Hosting | LGA 1972 s.142 | £7.20 |
| 24/12/23 | SO | Clerk’s Salary | LGA 1972 s.112 | £261.20 |
| 09/01/24 | DD | Information Commissioners Office - annual subscription | LGA 1972 s.111 | £35.00 |

1. ***Council resolved*** to approve the following list of cheque payments:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| DATE | CHQ No | DESCRIPTION | Budget/Power | AMOUNT |
| 15/01/24 | 519 | GCC - Contribution kissing gates | Highways Act 1980 s43,50 | £1,056.00 |
| 15/01/24 | 520 | Clerk’s expenses | Various | £231.15 |

**Items For Consideration**

**Planning**

1. The following new planning applications were considered:

* **P1620/23/FUL** Court Farm, Kempley, Dymock, Gloucestershire. Erection of Agricultural Building (Retrospective) **| Low impact response submitted within timescales specified.**
* **P1621/23/FUL** Court Farm, Kempley, Dymock, Gloucestershire. Erection of extension to existing calf rearing shed with associated works. | **Low impact response submitted within timescales specified.**
* **P1708/23/FUL - Replacement building following demolition of cart shed. (Retrospective) at Court Farm Kempley Dymock Gloucestershire GL18 2AT**

The clerk reported an email from Gail Lewis, Land Development & Planning Consultants Ltd. (LDPC) requesting when this would be discussed. After discussion, this application was considered ‘Low Impact’ in accordance with the Parish Council’s Planning Applications Policy. It does not therefore warrant further consideration or comment.

**Action:** clerk to inform LDPC of decision.

**Action:** clerk to respond on behalf of the Parish Council on the FoDDC Planning website.

1. The following planning decisions were noted:

* **P1292/23/FUL** Old Hill Orchard Kempley Road Dymock Gloucestershire. Retention and use of residential mobile home as a traveller pitch with parking provision for a single touring caravan, improvements to access and associated landscaping. **| Refused on 21st November 2023.**

The clerk reported that FoDDC Planning Enforcement Officer Trevor Short​​​​ has been tasked with reviewing the case and is seeking authority to take further action in this matter.

**Action:** Clerk to request an update for the March meeting.

* **P1041/23/FUL** New Farm Access Gate, Land to East Side of Saycells Farm, Much Marcle, Ledbury. Construction of access to farmland from public highway and installation of pair of farmland access gates. | **Granted permission 8th December 2023**
* **P1089/23/FUL** Saycells Farm, Much Marcle, Ledbury, HR8 2NP. Retention of existing temporary caravan for residential purposes while replacement house is constructed (currently approved until 16th December 2023 by permission P1684/20/FUL) until 25th June 2025 or when the house is capable of occupation, whichever is the sooner. | **Granted permission 7th November 2023**
* **P1214/23/FUL** 2 Parkfields, Kempley, Dymock, Gloucestershire. Variation of Condition 02 of Planning Permission P0591/23/FUL to allow for a reduction in the width of the approved extension and removal of the approved porch along with alterations to the approved fenestration. **| Granted permission 12th October 2023**
* **P1391/23/AG** Land Southwest of Friars Court Kempley Gloucestershire. Application for determination as to whether prior approval is required for further details. Prior notification to construct an agricultural track is to provide better access to the arable land for routine husbandry and harvesting. **| Approved 8th December 2023**
* **P1392/23/AG** New Access at Hillfields Farm Kempley Road Dymock. Application for determination as to whether prior approval is required for further details. Prior notification for the construction of a track to provide better access from the slurry lagoon around the back of the buildings to the silage pits/feed stores and to the arable land. **| Decided 10th November 2023 – Planning Permission not required.**

**Reports**

1. GCCllr. Gill Mosely gave a short verbal report covering the following topics:

* The ‘Fix my Street’ reporting system is now operational for any Highways issues.
* The Build Back Better Councillor Scheme (BBBCS) and Highways Local Fund are both still open for grant applications, confirming that the latter would be a potential funding source to replace the dilapidated fence along Kempley Brook by Hill Brook Farm.
* FoDDC is currently budget setting and reports a reasonable financial situation however there are concerns regarding a future deficit.
* The new FoDDC CEO Nigel Brinn has been appointed.
* Cllr. Moseley supported a request for an extension on the 12-month deadline for the BBBCS grant received to fix a new noticeboard at the southern end of the village.

**Action:** Clerk to request an extension on the Noticeboard grant from the BBBCS Team.

**Action:** Cllr. Brocklehurst will liaise with volunteers regarding progressing the new noticeboard.

1. The Clerk’s presented their report and the Actions Tracker was reviewed (Appendix II).

* Disappointment was expressed at the reply received from GCCllr. Colin Chick, Director of Economy, Environment & Infrastructure regarding reciprocal use of recycling centres.

**Action:** clerk to share this information with GCCllr. Gill Moseley who will take this up personally with Cllr. Chick.

* Cllr. Brocklehurst reported back on his discussion with Clare Stone (Daffodil Line Bus Service) about linking the 232-bus route with the Daff & Ride Minibus over the Kempley Daffodil Weekend. Logistically this would be very difficult to make work, however an alternate idea is to run a free minibus trial service on both the Saturday and Sunday with a commercial driver that links to the regular bus service.

The service would allow visitors a hop-on hop-off service along a route serving the car park in Newent (connecting with the public bus service), Oxenhall Church and Village Hall, Gwen & Vera’s Nature Reserve, Shaw Common Forestry car park, Queens Wood Car Park, St Edward’s Church and Kempley Village Hall, St Mary’s Church, Stonehouse Farm (B4024), a connection to Daffodil Line 232 Bus service with an option to finish at the Much Marcle Weston Cider public car park (with agreement from Westons).

Subject to final agreement with the Chair of the Kempley Daffodil Weekend Committee (Glyn Bennett) the remaining unspent funds of the Build Back Better Fund grant to support the Daffodil weekend could contribute £400 towards the cost.

* Part of the C1289 Much Marcle road has been resurfaced, despite HCC Highways saying there were no plans to do this.

**Action:** clerk to write again to HCC regarding resurfacing the remaining part of the road which, although some potholes have been filled, remains in very poor condition.

**Items For Exchange of Views:**

1. Councillors discussed an email received regarding overgrown hedges in the lane off Kempley Green towards Folly Farm and more generally within the village, leading to the loss of verges and a suitable place to put bins for collection. Parish Councils have no enforcement powers in this regard and agreed that it is appropriate in the first instance for individual issues to be discussed between neighbours. However, it was agreed that a councillor will alert the homeowner to the issue in case they are currently unaware.

Issues affecting safety can also be reported online at: [FixMyStreet (gloucestershire.gov.uk)](https://fixmystreet.gloucestershire.gov.uk/)

**Action:** Cllr. Wood to discuss with the homeowner.

1. Councillors discussed an email received requesting the Parish Council obtain a mobile vehicle activated sign (VAS) to discourage speeding through the village. It was noted that a request for Community Speedwatch volunteers made recently via social media received no support. Applications to the Community Speedwatch Fund are currently closed for the current Financial Year and the cost of purchasing a solar VAS is prohibitive at approximately £3,000.

**Action:** Raise the issue again at the Annual Parish Meeting, seeking support for future Community Speedwatch initiatives such as obtaining a solar VAS.

**Action:** Display the ‘20 is Plenty’ road signs that the Parish Council already possesses.

1. Dymock Parish Council’s Neighbourhood Development Plan consultation was discussed. It was noted that Kempley is mentioned within this regarding landscape amenity value. No formal Parish response was felt necessary.
2. The meeting with GCC Highways representatives was discussed (see Appendix III). It was noted that road deterioration in Kempley links to farming practices. There are few enforcement powers other than to deal with mud on the road. Introduction of weight limits would be ineffective as agricultural vehicles are exempt. The best way forward is therefore through a constructive dialogue with farmers.

Regarding flooding, it is understood that GCC Highways have recently liaised with Brickyard Cottage.

**Action:** Clerk to notify size and location of dilapidated signs to GCC Highways for replacement.

**Action:** The need for new or better signage to be considered at a future meeting.

**Action:** clerk to seek advice from the GCC Street Lighting Team regarding event lighting in the Village Hall car park.

1. The clerk reported that regarding the dilapidated sign to St. Mary’s Church situated on the junction opposite St. Ed’s Church, the Friends of Kempley Churches (FoKC) have a strong preference for this to be replaced with a brown, Tourist Information sign. GCC Highways have indicated that it is unlikely that the current, updated criteria for a tourist sign will be met and there is a significant fee to apply for one, a ‘like for like’ replacement would however be acceptable. After discussion, councillors agreed that further efforts to achieve a brown tourist sign should be made.

**Action:** Clerk to identify application process for a brown tourist sign.

**Action:** Ask FoKC to support with the additional cost of the application fee.

**Action:** Alert local press to the campaign to obtain a tourist sign due to the national importance of this heritage site.

1. Cllr. Goodwin gave a flooding update. The flooded road opposite Court Farm was reported at the meeting with GCC Highways on 30th November 2023, it was also reported by Cllr. Goodwin on 19th December reference 11445796 with this followed up by multiple phone calls since. It has also been separately reported by the residents of Court Farm. GCC Highways have reportedly assessed the problem and stated that they are waiting for the flooding to subside so that they can better address it.

**Action:** Cllrs. Goodwin and Howson will continue to raise the issue with GCC until a satisfactory resolution is achieved.

Flooding at Chamomile Cottage was also reported on 30th November and separately on 19th December. Cllr. Goodwin has called GCC Highways on four occasions with no further site visit or conclusion. The duct under the road remains blocked and flooding has occurred on the ground floor of the property. Sandbags have proven ineffective.

1. Cllr. Goodwin has spoken with Hillfields Farm:

* Reports of stones coming from the filled potholes at the farm entrance – this will be undergoing some work to replace the surface. They are currently awaiting the repositioning of the FullFibre pole and are carrying out material costing and planning. A start date for this work remains to be agreed.
* Reports of muddy roads – this has been unavoidable due to the extreme wet weather recently and around the time of the maize harvest. Slippery surface signs are deployed and the mud is minimised and cleared up as much as possible. Hillfields Farm are aware that the Highways Act states that: *“Mud, deposited by tractors and/or appliances when on public roads, should be removed as soon as practical or at least at the end of the working day.”*
* This issue has also been discussed with the police who report that they will not take any enforcement action.

**Action:** Cllr. Goodwin to request farmers, whenever able, inform him of activity likely to cause significant disruption so this can be communicated via the Kempley Emergency Plan WhatsApp group.

* Tanker/slurry application – it was confirmed that a self-employed contractor is used to carry out the slurry work using tankers. Being reliant on the contractor means that Hillfields Farm has no say on the start time. Once they have been instructed to empty the lagoon, the contractor will use the weather to their advantage and structure the start and finish times dependent on their workload at other farms. Hillfields Farm are aware of the impact on the village and are looking at ways to reduce this but there is no easy fix and won’t be able to stop the tankers completely.

**Action:** Kempley Parish Council will continue to liaise with GGC Highways to ensure the state of Kempley’s roads and the impact of farming practices is given due consideration.

**Action:** GCCllr. Gill Moseley agreed to discuss the issue of damage to the roads again with Andrew Middlecote, GCC Highways Manager and if necessary, escalate to a senior level.

* Footpath conditions at Hillfields Farm – they are aware of the muddy condition of the path and will address this when the fields finally dry up.
* Daffodil Field pull-in – There have been complaints about the lay-bi opposite the Daffodil Field after a Hillfields Farm tanker caused some deep ruts. An offer was made to stone this area for the benefit of all if agreement can be obtained from Court Farm and written permission can be obtained with an acknowledgement that Hillfields Farm are not liable for any subsequent issues.
* Snow Plough – Hillfields Farm has agreed to store the snow plough and work with the Snow Warden (Cllr. Goodwin) to keep the roads clear for the benefit of the village.
* The farmers of Kempley have collectively agreed to donate a new battery for the defibrillator sited at the Village Hall when this falls due for replacement in April 2024.

**Action:** clerk to obtain cost of the battery and inform Cllr. Goodwin.

* Dogs off lead on footpaths remains a significant concern. The hazard to livestock directly and through disease from fouling is a known and continual risk.

1. Cllr. Goodwin reported problems of littering and inappropriate disposal of dog poo bags. It was noted that Parish Councils have the power to issue ‘on the spot’ fines.

**Action:** clerk to obtain information on Parish Council Powers to issue Fixed Penalty Notices and add this topic to the March agenda.

**Action:** clerk to put on social media that Fixed Penalty Notice fines may be issued.

1. Temporary car parking lighting for events at the Village Hall was discussed with Andrew Middlecote who advised that the GCC Street lighting team may be able to advise (see item #170).
2. Community Emergency Plan & Community Response Group. No update currently.

**Action:** include on the agenda for the Annual Parish Meeting to seek volunteer input.

1. Councillor Howson suggested that the Parish Council should have a clearer policy regarding ‘New Build’ properties. There was a short discussion about FoDDC’s Core Policy and Allocations Plan. Design guidelines for Forest of Dean are included within these planning policies. GCCllr. Moseley reported a new design code is in process. Neighbourhood Development Plans are a big undertaking and costly to produce and would not be necessary at parish level in Kempley, where the pressure for development is low due to lack of local infrastructure.

**Action:** review KPC’s Planning Applications policy to consider the need to expand it regarding New Build applications.

1. Cllr. Howson reported that Defib training, First Aid Courses and Community First Responder training will be organised in Village Hall in the Spring of 2024.

**General**

1. The following items were received for inclusion on the March 2024 meeting agenda:

* Code of Conduct review (do this early to avoid overloading the May Agenda)
* powers to issue Fixed Penalty Notices for litter and graffiti.
* Set a date for the 2024 Annual Parish Meeting
* Public Rights of Way update
* Kempley Community Broadband Update.
* Review of KPC actions in the Kempley Community Led Plan (2017).

1. Date and time of next meeting: **Monday 18th March 2024 at 7.30pm**

**Kempley Village Hall**

With no further business the meeting closed at: 21.20

Signed (Chairman) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Appendix I: 2024 budget

Appendix II: Clerks report (January 2024)

Appendix III: Notes from meeting with GCC Highways