



Present: Cllr. Knight (Chairman), Cllr. Eden, Cllr. Eberlin, Cllr. Andrew, Cllr. Goodman, Cllr. Ballard, Cllr. T Nott.

In Attendance: (Carole Hirst) Clerk. MHDC Councillor, Cllr. Cumming; WCC Councillor, Cllr. Dr Pollock
1 member of the public

The Meeting closed at 9.40pm.

Minute Reference	
308	Apologies. None Absent: Cllr. Jukes
309	Declarations of Interest Cllr. Goodman declared a Disclosable Non-Pecuniary Interest in Minute Item 316 20/00376/FUL Abberley Parochial Primary School as a Trustee of Hester Severn Trust. Cllr. Andrew Declared a Disclosable Non-Pecuniary interest in Minute 315(d) Grant request for £400 for Herefordshire and Worcestershire Earth Heritage Trust as a Trustee of the trust.
310	Democratic Period/ Public Time See Minute reference – 318 (D) for discussions and resolution.
311	The Minutes Cllr. Eden Proposed and Seconded by Cllr. Ballard that the Minutes were a true record, and all agreed to adopt the minutes of the meeting held on the 20 th May 2020. The Chairman duly signed them as a true record.
312	Matters Arising <ul style="list-style-type: none"> • Blocked drain on Wynniattes Way- WCC Highways contacted the Clerk to pinpoint the blocked drain who referred them to Cllr. Andrew. Cllr. Andrew supplied WCC with the drain location. Cllr. Nott reported that the issue was yet not resolved. • 2 Suffolk Lane- Reports of land encroachment from a new resident at the said property. Fence moved and is using WCC land to park 4 vehicles on. WCC requested photos of the encroachment so that they can investigate. These were provided to Hannah Davies at WCC to investigate.
313	County and District Councillor Reports Cllr. Cumming MHDC Report circulated prior to the meeting attached as Appendix 1. Cllr. Pollock WCC Report circulated prior to the meeting attached as Appendix 2. Reports Received.
314	Correspondence <ul style="list-style-type: none"> • SWDP Review– 12/6/20- Call for sites for Country Parks- The site for a new Country Park would ideally need to be a minimum of 50ha in size, with direct and safe access on to the public highway and would preferably be on a bus route. The deadline for submissions is 5pm on Friday 24th July 2020, after which Officers will assess submissions to determine the suitability of the land as a potential allocation for a Country Park in the SWDP Review. <i>Action: The Chair</i>



asked the Clerk to write to Cllr. Jukes to request that he would speak to Mr. Knight of Shavers End Quarry to highlight the request for Call for sites for Country Parks.

- **MHDC- 15/6/20- Walk/Run Routes in your parish-** Health and Wellbeing officer is hoping to develop a number of accessible 5km walk and/or run routes across the district which we could potentially waymark and possibly include as part of our walking app <https://www.visitthemalverns.org/things-to-do/walking/> Ideally these routes will avoid walking on busy roads, have somewhere to park at the start and not include too many stiles along the way! If you would like your parish to be included in this project and have an idea for a walk/run route then please let Claire Vaughan know claire.vaughan@malvern hills.gov.uk by Thurs 30 July. *Action: Cllrs. Andrew and Eberlin agreed to work together to come up with a response to this. The Parish Council agreed to this idea in principle.*

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Finance

- a) Receipts, Payments up to 17th June 2020.

Payments List JUNE 17th 2020

Carole Hirst Salary to 5th June 20		£ 389.00
HMRC Payment to 5th June 20		£ 97.20
Carole Hirst expenses May 20th to 17th June 20		£ 20.40
In2Out - Lengthsman May		£ 196.00
DJN Planning Ltd		£ 420.00
Rotary Printers Banner		£ 57.60
Rotary Printers NDP		£ 175.00
TOTAL RECEIPTS		£1,355.20

RECEIPTS up to June 17th not previously reported

WCC Lengthsman March/Apr		£ 392.13
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TOTAL RECEIPTS £ 392.13

Cllr. Goodman Proposed and Cllr. Eden Seconded that the Payments presented to the meeting on the 17th June 2020 be Approved and Receipts noted. 6 in favour. Cllr. Andrew Declared Disclosable Non-Pecuniary Interests and was not present to vote.

- b) **Bank Reconciliation at 17th June 2020. Noted.**
- c) **June 2020 Summary of Income over Expenditure Monitoring Report** to June 12th, 2020 was circulated prior to the meeting. **Noted**
- d) **To consider Approval of £400 grant to Earth Heritage Trust towards cost of Interpretation Panel.** Cllr. Andrew declared a Disclosable Non-Pecuniary Interest and left the meeting. A report was received from Cllr. Andrew in advance of the meeting reporting that Great Witley have agreed to grant £400 towards the Interpretation Panels. Cllr. Pollock's update report indicated that he was prepared to consider no more than £600 although yet he had not made the

Chairman.....

Date.....



	<p>application for this amount and Cllr. Cumming indicated to the meeting that the MHDC grant fund had been re-instated and that he agreed with making a contribution of £125 subject to checking the grant criteria.</p> <p>Subject to all this finance described above being in place (if all achieved totalling £1125),</p> <p>Cllr. Eberlin Proposed that subject to all other funding being in place, Abberley Parish Council agree to review their contribution to make up the difference (£275 grant if all other funding achieved) up to a maximum contribution of £400 if MHDC funding not agreed and that this would be ratified at the Parish Council meeting on July 15th. The Parish Council felt that as Great Witley would get 2 Interpretation Panels and Abberley Parish Council 1 panel then it was fair that Abberley Parish Council contribution reflected this. This was Seconded by Cllr. Knight. All in favour.</p> <p>Cllr. Andrew re-joined the meeting.</p>
<p>316</p>	<p>Planning</p> <p>19/01887/FUL- 33 The Village, Abberley- Alterations and extension to provide ancillary accommodation in outbuilding- REFUSED 15/5/20</p> <p>20/00376/FUL Abberley Parochial Primary School, Apostles Oak, Abberley- Extension to timber framed, mono-pitch roofed classroom and deck for D1 educational use on school site. The Parish Council responded in support of this application and submitted their comments to the Planning Portal.</p>
<p>317</p>	<p>Road Naming for Walshes Farm Development.</p> <p>Road Naming for the housing development of 26 houses on Land at Clows Top Road Development (Walshes Farm). The Clerk prepared a press release for the website and for Facebook and residents were asked to either contact the Clerk via email to vote on their preferred option for a street name for the development. 12 residents voted. The name chosen was "School Fields" which gained 11 votes. The procedure now will be to forward the chosen name for consideration to MHDC along with the history behind choosing the name.</p>
<p>318</p>	<p><u>Progress reports from Parish Councillors</u></p> <p>A) Neighbourhood Plan Working Group</p> <p>Cllr. Knight reported that there was no further update since the last meeting. All documents have been prepared and everything is on track to begin the consultation. Cllr. Knight agreed to circulate, by email, a leaflet to the Clerk to forward to Councillors for them to distribute to their contacts.</p> <p>B) Lengthsman</p> <p>Cllr. Nott Report: Chris has been cutting back vegetation on footpaths around Village Green and along Suffolk Lane approach to St. Mary's Church. Chris is also spraying some footpaths to deal with overgrown vegetation.</p> <p>Cllr. Eberlin reported that there was amounts of wood on Suffolk Lane that needed clearing following works. <i>Action: Cllr. Nott agreed to contact the Lengthsman to see whether he could clear this and if it were not his remit whether he could report it to WCC Highways.</i></p> <p>C) Parish Footpaths Warden</p> <p>Cllr. Andrew report: I completed the application form, and this was acknowledged on 27th May. I am unable to take on any official duties or take over the tools from Cllr Gibson until I have attended the WCC Parish Paths Warden training and signed the volunteer agreement with WCC. I am awaiting notification of when this might be from</p>



WCC. Meanwhile I have completed walking all footpaths in the parish and can report that paths are clearly being well used now and most routes are clear.

D) Shavers End Quarry: Cllr Knight Report detailed as Appendix 4

Cllr. Knight reported that she had received a further update today which she agreed to forward to the Clerk for information. Cllr. Knight agreed to provide Councillors with an update regarding this.

The Council discussed the continuing problems at Shaver’s End Quarry that are a result of illegal trespass. A member of the public also attended the meeting to offer more detail as to her experiences over the years when trying to deal with the situation.

A letter from Sergeant Kent relayed the fact that several queries from the Parish Council had been forwarded to the relevant bodies and would be answered as soon as possible. She also reiterated the fact that Parishioners should continue to report any incidents.

The discussion centred on the police having mooted the idea of double yellow lines to run from the Dunley Road to the junction on Reynolds Lane with targeted enforcement by MHDC as a possible solution. This idea is still being worked out by the various agencies involved and the Parish Council will wait for answers to various queries before committing themselves to the project. Councillor Cumming was asked to make further enquiries about the particulars of the proposed enforcement.

Other suggestions were made that might help tackle the problems including providing signage which would draw attention to a previous death at the quarry and also highlight the litter which blights the area around the entrance to the quarry.

Cllr. Andrew Proposed that Abberley Parish Council ascertains the quickest way to obtain double yellow lines and report back to Councillors and Cllr. Cumming to ascertain from MHDC how the double yellow lines would be enforced working with the recommendations of the Coroner’s Report. Cllr. Knight Seconded. All in favour.

E) Section 106 Open Space- Report by Cllr. Ballard (See Appendix 3 to these Minutes)

Cllr. Ballard discussed next steps and asked if there was any idea how much S106 was currently available within the Parish. Cllr. Cumming reported that £50,088.74 was available for the Walshes Farm Site and £4600 per property for all properties excluding affordable housing (15 properties) on the Apostle Oak Site totalling £69,000 although much of this had been determined in the Section 106 Contract and so variation from this would need to be discussed with MHDC. Cllr. Cumming also reported that it would be advantageous to start discussions asap to ensure the Parish Council/community requirements were taken into consideration.

Cllr. Cumming suggested that Cllr. Ballard speak to Duncan Rudge at MHDC to ascertain who could advise him on Section 106.

Cllr. Cumming explained that when a planning application is determined Section 106 funding is allocated to the Development with a trigger determining when the Section 106 should be paid to MHDC. It would be at this point that the funding can be drawn down for the project. Under the Parish Council’s Financial Regulations ant contract would need to be tendered for.



	Cllr. Knight Proposed and Cllr. Eden Seconded that all Councillors consider the pros and cons of all eligible suggestions and forward to Cllr. Ballard to summarise for discussion at the next meeting.
319	<p>Councillors reports and items for future agendas.</p> <p>Cllr. Eberlin- Climate Change.</p> <p>Cllr. Eberlin recently attended a Climate Change Training session and discussed what it was about and what others are doing in various town and parish councils. It was agreed that this be referred to the July Parish Council agenda for further discussion.</p> <p>Cllr. Gibson reported that the final offer for 193 properties for the WCC Gigabyte Scheme was £492,000. All properties would have to apply for the grant. The grant to residential properties and businesses is currently being calculated and clarification will be provided when available.</p> <p>Cllr. Gibson discussed how this may be advertised and distributed.</p>
320	<p>Date of Next Meeting</p> <p>The next Parish Council meeting is on Wednesday July 15th, 2020 at 7.30pm. A Zoom invitation will be emailed and advertised on the Parish Council website.</p>

Appendix 1 Cllr. Cumming MHDC Report

Whilst meetings at Malvern are being kept to a minimum, some business is being conducted via Zoom. Work continues on the SWDP revision with the Joint Advisory Panel holding such meetings regularly to go through all aspects.

Locally the main issues remain fly tipping, the emptying of recycling bins and planning enforcement with the number of cases in this part of the District growing. It is necessary to keep applying persistent pressure at all levels of the Council to ensure that these are given the priority they need to be properly dealt with.

It has just come to light that MHDC has purchased a mixture of arable, pasture and forestry land at Hallow under “urgent business” provisions at a cost of £180,000, to assist with the Council’s carbon reduction plan. Exactly how this will assist is not clear as Members have not received sight of the business plan and those running the Council forgot to inform the Executive Committee at the May meeting. This will certainly be raised at the next meeting at the end of June.

Appendix 2 Cllr. Dr Pollock WCC Report.

Flooding

Abberley residents may recall that after the 2007 floods, the Environment Agency designed a plan to protect Tenbury town from flooding which would have cost about £5 million. This was judged not to be cost effective.

Two weeks ago, your MP, Harriett Baldwin, raised the matter in a twice postponed adjournment debate in the House of Commons. It is worth reading in Hansard, as it makes a powerful case for some perimeter barrier to protect the centre of Tenbury that lies between the Teme and the Kyre Brook.



Harriett circulated her speech in advance to a number of local officials and councillors, and I think we were all in broad agreement that something should be done. Harriett has effectively supported five or six flood protection schemes in her constituency since the 2007 floods, and, of the remaining two, Severn Stoke has now been given the go ahead.

Only Tenbury remains, and it presents obvious problems. The net result of the debate is that further work needs to be done on the design, but that alternative sources of funds are also needed. Harriett was responded to by the Floods Minister, Rebecca Pow, and it is worth reading her considered reply. Among other things she said:

The Government and the EA remain committed to helping reduce the risk and impact of flooding in Tenbury and increase the town's resilience, whilst also enhancing the environment and the economic prosperity of the community. I know that the EA has recently met with partners at the National Flood Forum, as well as the wider community, to examine all the options, including those that have gained interest from the Heritage Lottery Fund, in line with the Government's partnership funding approach. I welcome that aspect....The EA is working to demonstrate, though, how the scheme would benefit the economic growth of the town and the surrounding area, and as such, provide an investment opportunity for partners such as the Worcestershire local enterprise partnership.

From this we can deduce that we not only have a complicated design to improve, and then approve, but we also need a secondary source of funds, for instance from the LEP, albeit that all such money may ultimately come by various routes from the Government.

This sort of work is being carried out in a number of places in the Severn catchment, and recently there has been concern about designing a scheme to protect Powick. In all of these matters, it is worth bearing in mind the importance of managing the whole catchment, and the EA are to be encouraged to consider the upper reaches of our rivers, as well as trying to mitigate flooding in a county like Worcestershire.

County Matters

We must hope that the impact of the coronavirus outbreak is diminishing and that we may soon be able to resume what me might refer to as normal life. As I write, there have been no deaths from the virus in Worcestershire and Herefordshire for the last five days. This may be significant, and it may be that the 2m social distancing rules will be relaxed or eliminated in the coming weeks.

At this time, it is unfortunate that for many people the solution to reduced use of public transport in London has meant strong pressure to assist cycling and walking in Worcestershire. So far, we have not seen the sort of temporary measures suggested as worthy of implementation. Our established policies, set out in LTP4, give us plenty of schemes to follow, where the funds allow.

Just this week we are asking for views on a new pedestrian and cycling bridge at Keepax, mirroring the Diglis bridge that has proved so popular. It would run from the Keepax site on the west bank to Gheluvelt Park in the east, and provide a useful connection for recreation and commerce for all who wish to walk or cycle across the Severn, without needing to go into town to the Sabrina bridge.

Local Matters

Your colleague Councillor Kate Andrew has intimated that the display boards on the Earth Heritage Trust Worcester Way can be replaced with a contribution from my Divisional Fund. I have not yet made the application, and I am a little concerned that the contribution of £400 each from Abberley and Great Witley falls short of the £1,000 expected from my fund.

That amounts to £10,000 for the financial year and has to be seen to be beneficial to the residents of the whole division. While I entirely support the EHT concept and made a small portion of my then garden available at the top of the Abberley Hill for a viewing place, I am aware that the many visitors tend not to be from the immediate vicinity or even the Tenbury division.

I wonder whether a more even division of the costs might be achieved, so that the Divisional Fund contribution is no more than about £600, in line with many of the other good causes that are supported by it.

In the last week or so, I have been approached by Sgt Sarah Kent of the West Mercia Police about the inconsiderate parking of vehicles at the far end of Witley Hill, by Structons Heath quarry. She was



concerned about the obstruction caused by this parking, and the risks taken by young people bathing in the pool.

Her remedy was to suggest double yellow lines along both sides of the road in the vicinity of the parking places, as a way of discouraging this risky activity. I expressed my concern that these restrictions would not be observed, and that it is natural for young people to want to swim in this sort of pool. Advice on how to avoid danger and drowning might be a more positive approach, along with better provision for legal parking.

This is a matter of concern for Abberley residents and I would be pleased to hear the views of councillors, both on the risks run and on the ways of minimising the inconvenience of poor parking.

Appendix 3. Cllr. Ballard Report on Section 106

When looking into the various ways of applying for section 106, what is deemed as an 'acceptable project', the various steps that need to be taken and how it can be spent I kept coming across CIL. (Community Infrastructure Levy) is something I am interested to hear more about from Cllr Cummings since I believe can be used in conjunction with S106. To briefly explain the two:

The CIL provides a means of ensuring that a new development contributes to the cost of the infrastructure that the development will rely on, such as schools and roads.

Section 106 funding is available for capital projects only (not to cover revenue expenditure) but may include project management costs. Section 106 funds may only be spent on new facilities or improvements to facilities where the new development has, at least in part, contributed to the need for that facility or will have an impact on the existing facilities. Funds may be used for the provision, improvement, enhancement, or adaptation of:

- Outdoor play spaces
- Indoor and outdoor sports facilities and associated ancillary facilities (e.g. changing rooms, pavilions, and parks)
- Outdoor leisure and recreational provision including allotments; amenity green spaces; natural green spaces, paths, and pathways; parks and recreation grounds and youth activity areas.
- Community centres and village halls

To date we have reached out to the village community through a number of ways and have received the following suggestion:

- Sports pitch with all-weather pitch being a bonus
- Improved public service to Worcester, Droitwich and Stourport.
- Children's play area/Sensory area
- Footpaths being accessible to dogs.
- Bar licence for village hall
- Dog poo bins
- Footpath between old village and school.
- Bus shelter
- Fitness walk
- Litter bins
- Purchase of land for additional pitches
- Informal youth facilities – ball courts, skate parks, youth shelters etc.
- Purchase of land for burial ground
- Woodland Planting
- Cycle lanes/routes

Funds may be awarded for the entire project, but applicants are positively encouraged to seek funding from other grant bodies and community sources. Section 106 and CIL can, I believe, be used in conjunction with one another.

Catherine has liaised with the primary school headteacher, Joel, to see whether there could be any negotiations regarding the sports field but unfortunately this was not an option.

Next Steps/Action Plan

At the next meeting, I would be appreciative if we could explore how to best get the 'opinion and ideas of the community'. My thoughts are a wish-list in Abberley shop/pub/church, public consultation?



I have requested a slot in the next virtual YFC meeting to explore any ideas they have come up with W/C 29th June.

I am still yet to speak to Mr Goodman regarding his involvement with GW section 106 application but will follow this up again.

I have once again emailed MHDC asking for further support but I am still awaiting a reply and would also like to seek the assistance of Cllr Cummings since he is a chap who seems to 'get things done'! I would like to seek further clarification regarding the application process and the order in which S106 progresses and where we are at the current moment.

If you are interested in any further information, I have found the below link to the MHDC application document, guidance notes and Q&A documents to be particularly useful.

<https://www.mavern hills.gov.uk/community/parks-and-open-spaces/section-106-funding>

Appendix 4 Cllr. Knight report on Shavers End Quarry.

A letter was written on behalf of the Parish Council to the Police and Crime Commissioner, Mr John Campion, to highlight the continuing and worsening situation at Shaver's End Quarry and to describe some of the incidents which make it very difficult for Parishioners to go about their daily lives.

Inspector David King made contact very soon after to discuss the various issues.

As a result of conversations with both Inspector David King and Sergeant Sarah Kent we have asked, as a Parish Council, for Parishioners to report any incidents to the police and to Carole which, they feel, directly relate to or are as a result of illegal trespass at the quarry. A notice to this effect has been posted on the Parish Website and on our Facebook page. The idea is that we build a log which can be produced as evidence to show how the illegal activity has such a deleterious effect on Abberley residents. This log should correspond with reports to the police. There has been a good response so far.

In the notice we have also asked for parents to prevent their children from going onto the quarry site.

Parishioners should rest assured that the police are very aware of the problems and are working with several agencies to try and produce a long term, sustainable solution.

At the moment the majority of offenders are not local but coming from the West Midlands – advertising by social media greatly contributing to this. Thus, there are moves afoot to mount a social media campaign to offset this. Sergeant Kent has already sent press releases to the West Midlands which contribute to this campaign and will be increasing her input. This will take time to filter down as there are also pictures on Google of the quarry and posts which show it as a highly desirable place to visit.

Sergeant Kent, who is our main point of contact, has visited the quarry on numerous occasions in the recent past and would testify to its deterioration over the years.

Sergeant Kent has proposed the use of double yellow lines which would run from the Dunley Road past the quarry entrance to the junction of Reynolds Lane. She is very aware of the impact on the countryside but feels that this may be the only avenue open at the moment. The reasoning behind this is that instead of writing letters to registered car owners they would be able to hit them where it hurts i.e. in the pocket with an immediate parking ticket. As parking offences have been decriminalised the enforcement would be by Wychavon with the support of the police. She is aware that this enforcement would take time to filter down, but the idea is that eventually would be party goers will be put off by the threat of fines.

As to the impact of the yellow lines there is the possibility of having much thinner stripes which are used in conservation areas and of using a very muted shade of yellow.

The lead time for this is several months.



The other solution is that we go down the 'experimental route' which means that yellow lines are painted and then a public consultation is held to see whether it has been effective. If it hasn't worked then we go back to the drawing board. Again, it would take several months for this to be sanctioned. She will also make enquiries as to the Coroner's recommendations following a death in the quarry last year; and to enquire about any statutory regulations regarding a quarry owner's duty of care. The police, in fact, have already made recommendations to the landowner as to how to secure the site. It may be that different bodies rather than the police are involved in any enforcement. She has been told that a Public Space Protection Order is an unlikely avenue as the quarry is privately owned. I did ask whether the road could come under the definition of public space as people are prevented from accessing it in the normal way and a public nuisance is created by transgressors' behaviour.